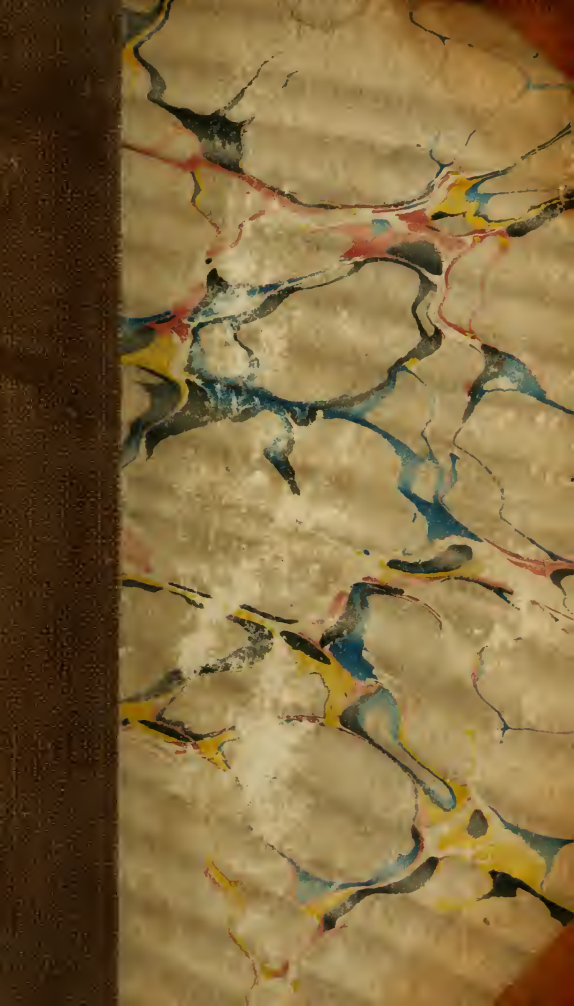










PUBLISHED AUGUST 1, 1820 BY T. BOYS, LUDGATE HILL

Engraved by W. T. FAY, from an Original Painting by F. C. Turner

taken in the Court of Chancery July 1820

THE
PERCY ANECDOTES.

ORIGINAL AND SELECT.

SHOLTO AND REUBEN PERCY,

BROTHERS OF THE BENEDICTINE MONASTERY,

MONT BENGHER.



LONDON.

PRINTED FOR T. BOYS, LUDGATE HILL.

45871 1820.



PN
L 260
P 41
1820
V.S
TO THE

RIGHT HON. JOHN LORD ELDON,

LORD HIGH CHANCELLOR OF ENGLAND,

ETC. ETC. ETC.

THESE

Anecdotes of Justice

ARE

RESPECTFULLY DEDICATED,

BY HIS LORDSHIP'S

MOST DEVOTED AND

MOST OBEDIENT

HUMBLE SERVANTS,

*Tholto Percy
Rush Percy.*

THE
Percy Anecdotes.

ANECDOTES OF JUSTICE.

“ Of all the virtues, Justice is the best;
Valour without it is a common pest :

* * * * *

All other virtues dwell but in the blood ;
That in the soul, and gives the name of good ;
Justice the queen of virtues !”

WALLER.

ARISTIDES.

A TRAGEDY by Eschylus was once represented before the Athenians, in which it was said of one of the characters, “ that he cared more *to be* just, than to *appear* so.” At these words, all eyes were instantly turned upon Aristides, as the man who of all the Greeks most merited that distinguished character. Ever after he received by universal consent, the surname of *the Just*, a title, says Plutarch, truly royal, or rather truly divine. This remarkable distinction roused envy, and envy prevailed so far as to procure his banishment for ten years, upon the unjust suspi-

cion, that his influence with the people was dangerous to their freedom. When the sentence was passed by the people, Aristides himself was present in the midst of them, and a stranger who stood near and could not write, applied to him to write for him in his shell. "What name!" asked the philosopher. "Aristides," replied the stranger. "Do you know him then?" said Aristides, "or has he in any way injured you?" "Neither," said the other, "but it is for this very thing I would he were condemned. I can go no where but I hear of Aristides the Just." Aristides enquired no farther, but took the shell, and wrote his name in it as desired.

The absence of Aristides soon dissipated the apprehensions which his countrymen had so idly imbibed. He was in a short time recalled, and for many years after took a leading part in the affairs of the republic, without shewing the least resentment against his enemies, or seeking any other gratification than that of serving his country with fidelity and honour. His disregard for money was strikingly manifested at his death; for though he was frequently treasurer as well as general, he scarcely left sufficient to defray the expense of his burial.

The virtues of Aristides did not pass without reward. He had two daughters, who were educated at the expense of the state, and got portions allotted them from the public treasury.

Aristides being judge between two private persons, one of them declared that his adversary had greatly injured Aristides. "Relate rather, good friend," said he, interrupting him, "what wrong he hath done thee, for it is thy cause, not mine, that I now sit judge of."

Being desired by Simonides, the poet, who had a cause to try before him, to stretch a point in his favour, he replied, "As you would not be a good poet, if your lines ran contrary to the just measures and rules of your art; so neither should I be a good judge or an honest man, if I decided aught in opposition to law and justice."

DRACO.

The severity of the laws of Draco is proverbial; he punished almost all sorts of faults with death; and was hence said by Demades "to have written his laws, not with ink, but with blood." To steal an apple was with him a crime of as deep a dye, as to commit sacrilege; even "confirmed idleness" was punished with death. On Draco himself being once asked, "Why he punished such petty crimes with death?" he made this severe answer: "That the smallest of them did deserve that, and that there was not a greater punishment he could find out for greater crimes."

SOLON.

Anacharsis was wont to deride the endeavours of Solon, whose code of law superseded the bloody one of Draco, to repress the evil passions of his fellow citizens with a few words, which, said he, "are no better than spiders' webs, which the stronger will break through at pleasure."

"So like a fly the poor offender dies,
But like the wasp, the rich escapes and flies."

DENHAM.

The reply of Solon was worthy of the law-giver of a refined people. "Men," said he, "will be sure to stand to those covenants, which will bring evident disadvantages to the infringers of them. I have so framed and tempered the laws of Athens, that it shall manifestly appear to all, that it is more for their interest strictly to observe, than in any thing to violate and infringe them."

SOCRATES.

While Athens was governed by the thirty tyrants, Socrates, the philosopher, was summoned to the Senate House, and ordered to go with some other persons, whom they named, to seize one Leon, a man of rank and fortune, whom they determined to put out of the way, that they might enjoy his estate. This commission Socrates positively refused. "I will not willingly," said he, "assist in an unjust act." Chericles sharply replied, "Dost thou think, Socrates, to talk in this high tone and not to suffer?" "Far from it," replied he, "I expect to suffer a thousand ills, but none so great as to do unjustly."

DIOCLES.

Among the laws which Diocles gave to the Syracusans, there was one which enacted, "that no man should presume to enter, armed, into an assembly of the people; in case any should, he was to suffer death." One day the alarm was given of an enemy approaching, and Diocles hastened out to meet them, with his sword by his side. On the way he was informed that the people, indifferent to their common

danger, had assembled to talk sedition in the forum, and forgetting all inferior circumstances in his zeal for the public safety, he stepped, armed as he was, into the midst of the assembly, intending to use his best endeavours to recal them to a sense of their duty ; but before he could address them, one of the busiest of the factious called out, “ that Diocles, in arms among the people, had broken the laws which he had himself made.” Diocles, struck but not confounded, turning towards his accuser, replied with a loud voice, “ Most true ; nor shall Diocles be the last to sanction his own laws.” On saying this, he drew his sword, and falling on it, expired.

A fate precisely similar is recorded of Charondas, the law-giver of the Thurians.

TIES OF KINDRED.

Phocion, the Athenian general, never suffered domestic or private views to interfere with the public interest. He constantly refused to solicit any favour even for those most nearly allied to him. His son-in-law, Chericles, being summoned before the republic, on a suspicion of having embezzled the public money, it was then that Phocion addressed him in these admirable terms : “ I have made you my son-in-law but only for what is just and honourable.”

Mysias, the brother of Antigonus, King of Macedonia, solicited him to hear a cause, in which he was a party, in his chamber. “ No, my dear brother,” answered Antigonus, “ I will hear it in the open court of justice ; because I must do justice.”

BRUTUS.

When the disgrace of Lucretia, daughter of Brutus by the eldest son of Tarquinius Superbus, was known in Rome, the people determined to shake off the tyranny by which they were oppressed, and drive the proud and cruel monarch from the throne of which he had proved himself so unworthy. Brutus, as Captain of the Guards, called an assembly, in which he expatiated on the loss of their liberty, and the cruelties they suffered by the usurpation and oppressive government of Tarquin. The whole assembly applauded the speech, and immediately sentenced Tarquin, his wife and family, to perpetual banishment. A new form of government was proposed ; and after some difficulties, it was unanimously agreed to create in the room of the king, two consuls, whose authority should be annual. The right of election was left to the people, and immediately they chose Brutus and Collatinus consuls, who swore for themselves, their children, and posterity, never to recal either Tarquin or his sons, or any of his family, and that those who should attempt to restore monarchy, should be devoted to the infernal gods, and immediately put to death.

Before the end of the year, a conspiracy was formed, in which many of the young nobility were concerned, and among the rest were the two sons of Brutus the consul. Their object was to restore the Tarquins ; and they were so infatuated by a supernatural blindness, says Dionysius, as to write under their own hands, letters to the tyrant, informing him

of the number of conspirators, and the time appointed for despatching the consuls.

A slave of the name of Vindicius became acquainted with their designs, and gave information to the consuls, who immediately went with a strong guard, and apprehended the conspirators and seized the letters.

As soon as it was day, Brutus ascended the tribunal. The prisoners were brought before him, and tried in form. The evidence of Vindicius was heard, and the letters to Tarquin were read ; after which the conspirators were allowed to speak, if they had any thing to urge in their defence. Sighs, groans, and tears were their only answer. The whole assembly stood with downcast looks, and no man ventured to speak. This mournful silence was at last broken with a slow murmur, *Banishment ! Banishment !* But the public good which predominated over the feelings of a parent, urged Brutus to pronounce on them the sentence of death.

Never was an event more capable of creating at the same time feelings of grief and horror. Brutus, father and judge of the two offenders, was obliged by his office to see his own sons executed. A great number of the most noble youths suffered death at the same time, but the rest were as little regarded as if they had been persons unknown. The consul's sons alone attracted all eyes ; and while the criminals were executing, the whole assembly fixed their attention on the father, examining his behaviour and looks, which in spite of his sad firmness, discovered the sentiments of nature, which he could not entirely stifle, although he sacrificed them to the duties of his office.

A MODERN BRUTUS.

In the year 1526, James Lynch Fitzstephen, a merchant, who was at that time Mayor of Galway in Ireland, sent his only son as commander of one of his ships to Bilboa, in Spain, for a cargo of wine. The credit which he possessed was taken advantage of by the son, who secreted the money with which he was entrusted for the purchase of the cargo; and the Spaniard who supplied him on this occasion, sent his nephew with him to Ireland to receive the debt, and establish a farther correspondence. The young men, who were nearly of the same age, sailed together with that apparent confidence and satisfaction which congenial pursuits generally create among mankind. The ship proceeded on her voyage, and as every day brought them nearer the place of destination, and the discovery of the fraud of young Fitzstephen, he conceived the diabolical resolution of murdering his friend; a project in which by promises of reward and fear, he brought the greatest part of the ship's crew to join him. On the night of the fifth day, the unfortunate Spaniard was violently seized in his bed and thrown overboard. A few days more brought the ship to port. The father and friends of young Fitzstephen received him with joy, and in a short time bestowed a sufficient capital to enable him to commence business.

Security had now lulled every sense of danger, and he sought the hand of a beautiful girl, the daughter of one of his neighbours. His proposals were accepted, and the day appointed which was to crown his yet

successful villainy, when one of the sailors who had been with him on the voyage to Spain was taken ill, and finding himself on the point of death, sent for the father, and communicated a full account of the horrid deed his son had committed. The father, though struck speechless with astonishment and horror, at length shook off the feelings of the parent, and exclaimed, "Justice shall take its course." "He immediately caused his son to be seized with the rest of the crew, and thrown into prison. They all confessed their crime---a criminal prosecution was commenced, and in a few days, a small town in the West of Ireland beheld a sight scarcely paralleled in the history of mankind; a father, like another Brutus, sitting in judgment on his son! and like him too, condemning him to die as a sacrifice to public justice!---A father consigning his only son to an ignominious death, and tearing away all the bonds of paternal affection, where the laws of nature were violated, and justice demanded the blow!---A father with his own lips pronouncing that sentence which left him childless, and at once blasted for ever the honour of an ancient and noble family! "Were any other but your wretched father your judge," said the virtuous magistrate, "I might have dropped a tear over my child's misfortunes, and solicited his life though stained with murder; but you must die. These are the last drops which shall quench the sparks of nature; and if you dare hope, implore that heaven may not shut the gates of mercy on the destroyer of his fellow creature." Amazement sat on the countenance of every one. The fellow citizens of the inflexible magistrate, who revered his virtues and pitied his

misfortunes, saw with astonishment the fortitude with which he yielded to the cruel necessity, and heard him doom his son to a public and ignominious death on the following morning.

The relatives of the unhappy culprit surrounded the father ; they conjured him by all the ties of affection, of nature, and of compassion, to spare his son. His wretched mother flew in distraction to the heads of her own family, and conjured them for the honour of their house, to rescue her from the ignominy the death of her son must bring upon their name. The citizens felt compassion for the father ; affection for the man ; every nobler feeling was roused, and they privately determined to rescue the young man from prison that night, under the conviction that Fitzstephen having already paid the tribute due to justice and to his honour, would secretly rejoice at the preservation of the life of his son. But they little knew the heart of this noble magistrate. By some accident their determination reached his ear ; he instantly removed his son from the prison to his own house, which he surrounded with the officers of justice.

In the morning he partook with his son the office of the holy communion ; after giving and receiving a mutual forgiveness, the father said, “ You have little time to live, my son, let the care of your soul employ the few moments ; take the last embrace of your unhappy father.”

The son was then hung at the door of his father ; a dreadful monument of the vengeance of heaven, and an immortal instance of the exercise of justice, that leaves every thing of the kind in modern times at an immeasurable distance.

The father immediately resigned his office ; and after his death, which speedily followed that of his son, the citizens fixed over the door of the house a death's head and cross bones carved in black marble, to perpetuate the remembrance of this signal act of justice.

JUST REWARD OF TREACHERY.

Tarpeia, the daughter of Tarpeius, the keeper of the Roman capitol, agreed to betray it into the hands of the Sabines, on this condition, " that she should have for her reward, that which they carried upon their left arms," meaning the golden bracelets they wore upon them. The Sabines having been let in by Tarpeia, according to compact, Titius, their king, though well pleased with carrying the place, yet detesting the manner in which it was done, commanded the Sabines to give the fair traitor her promised reward, by throwing to her all they wore on their left arms ; and therewith unclasping his bracelet from his left arm, he cast that, together with his shield, upon her. All the Sabines following the example of their chief, the traitoress was speedily overwhelmed with the number of bracelets and bucklers heaped upon her, and thus perished miserably under the weight of the reward which she had earned by the double treachery to her father and to her country.

FABIUS.

An exchange of captives was agreed on between Fabius and Hannibal, and he that had the fewer in

number, was to pay a price in money, as the ransom of the remainder. Fabius informed the senate of this compact, and that on counting numbers it was found that the Roman captives exceeded by two hundred and forty the Carthaginian. The senate however refused to ratify the agreement, and withal reproached Fabius for doing so little honour to the Roman name, as to agree to free men whose cowardice had made them the slaves of their enemies. Fabius received the rebuke with calmness, convinced at the same time in his own mind that however just it might be, there was something still more just in being faithful to an engagement, deliberately made by a public officer on the public behalf. His private purse was not at the moment affluent enough to discharge the stipulated ransom, but rather than deceive Hannibal, he sent his son to Rome, with instructions to sell all his lands, and to return with the money to the camp. Young Fabius did so ; the ransom of the Roman prisoners was paid ; and the patriot general by thus sacrificing his fortune to his honour, gave his character one more claim to that immortality which numberless great and good acts have conferred upon it.

PORTIUS CATO.

M. Portius Cato raised himself many enemies by his stern and inflexible integrity, his honesty in doing right to the injured, and his severity in punishing offenders. He spared no man, nor was a friend to any one who was not so to the commonwealth. More than fifty accusations were successively brought against him ; yet, by the common suffrages of the people, he was

always declared innocent, and that not by the power of his riches or the interest of his friends, but by the justness of his cause. Cato was also as wise as he was just ; for being accused again in his old age, he requested that Tiberius Sempronius Gracchus, one of his chief enemies, might alone sit in judgment upon him. This was granted, the cause of complaint examined into, and Gracchus pronounced him innocent. From a result so corresponding to the noble confidence shewn by Cato, he lived ever after in equal glory and security.

A TRIED MAN.

The boast of Portius Cato, that he had been fifty-one times tried and acquitted, though extraordinary enough, was greatly exceeded by that of the Athenian Aristophon, who prided himself in having been ninety-five times cited and accused before the public tribunals, and in every instance pronounced innocent.

BOLD MONITOR.

Augustus Cæsar was once sitting in judgment when Mæcenas was present, who perceiving that the emperor was about to pass sentence of death on a number of persons, endeavoured to get up to him ; but being hindered by the crowd, he wrote on a piece of paper, "*Tandem aliquando surge carnifex?*" "When are you going to rise, hangman?" and then threw the note into Cæsar's lap. Cæsar immediately rose without condemning any person to death ; and far from taking the sarcastic admonition of Mæcenas amiss, he felt much troubled that he had given cause for it.

EMPEROR TRAJAN.

The emperor Trajan would never suffer any one to be condemned upon suspicion, however strong and well grounded ; saying it was better a thousand criminals should escape unpunished, than one innocent person be condemned. When he appointed Subarranus Captain of his Guards, to present him according to custom with a drawn sword, the badge of his office, he used these memorable words : “ *Pro me, si merear, in me :*” “ Employ this sword for me, but if I deserve it, turn it against me.”

Trajan would not allow his freedmen any share in the administration. Notwithstanding this, some persons having a suit with one of them of the name of Eurythmus, seemed to fear the influence of the Imperial freedom : but Trajan assured them that the cause should be heard, discussed, and decided, according to the strictest laws of justice ; adding, “ For neither is he Polycletus, nor I Nero.” Polycletus, it will be recollected, was the freedman of Nero, and as infamous as his master for rapine and injustice.

As Trajan was once setting out from Rome, at the head of a numerous army, glittering in all the pomp and circumstance of marshal equipment, to make war in Wallachia, and when a vast concourse of people were gathered around to witness the proud spectacle, he was suddenly accosted by a woman, who called out in a pathetic but bold tone, that to Trajan she appealed for justice ! Although the emperor was pressed by the affairs of a most urgent war, he instantly stopped, and alighting from his horse, heard the sup-

pliant state the cause of her complaint. She was a poor widow, and had been left with an only son, who had been foully murdered ; she had sued for justice on his murderers, but had been unable to obtain it. Trajan having satisfied himself of the truth of her statements, decreed her on the spot the satisfaction which she demanded, and sent the mourner away comforted. So much was this action admired, that it was afterwards represented on the pillar erected to Trajan's memory, as one of the most resplendent instances of his goodness.

HONOURABLE ENEMY.

Cneius Domitius, tribune of the Roman people, eager to ruin his enemy, Marcus Scaurus, chief of the Senate, accused him publicly of several high crimes and misdemeanors. His zeal in the prosecution tempted a slave of Scaurus, through hope of a reward, to offer himself privately as a witness. But justice here prevailed over revenge ; for Domitius without uttering a single word, ordered the perfidious wretch to be fettered and carried instantly to his master. So universally was this action admired, that it procured Domitius an accession of honours which he could scarcely have hoped for otherwise. He was successively elected consul, censor, and high priest.

NOBLE REVENGE.

Some soldiers of Gabinius wantonly put to death two sons of M. Bibulus, a person of distinction in the province of Syria. The afflicted father having ap-

pealed to Queen Cleopatra for justice on the murderers, she ordered them to be seized and sent to him, to be dealt with as he might see fit. Bibulus did as wisely as generously. He felt that in private hands, punishment must have degenerated into revenge, and he was of the few who think that to repeat, is not the most rational way to shew abhorrence at a deed of brutality. He commanded the culprits to be returned to the queen, thinking it revenge enough to have had the enemies of his blood in his power.

PERFIDY PUNISHED.

Brutus, the general, having conquered the Patarenses, ordered them on pain of death to bring him all their gold and silver, and promised rewards to such as should discover any hidden treasures. Upon this a slave belonging to a rich citizen informed against his master, and discovered to a Centurion the place where he had buried his wealth. The citizen was immediately seized, and brought, together with the treacherous informer, before Brutus. The mother of the accused followed them, declaring with tears in her eyes, that she had hidden the treasure without her son's knowledge, and that consequently she alone ought to be punished. The slave maintained that his master, and not the mother, had transgressed the edict. Brutus heard both parties with great patience, and being convinced that the accusation of the slave was chiefly founded on the hatred he bore to his master, he commended the tenderness and generosity of the mother, restored the whole sum to the son, and ordered the slave to be crucified. This judgment, which was im-

mediately published all over Lycia, gained him the hearts of the inhabitants, who came in flocks to him from all quarters, offering of their own accord the money they possessed.

PERFIDY REWARDED.

What a noble contrast does the conduct of Brutus form, to the base cruelty which disgraced the reign of James II. on an occasion not very dissimilar. During Monmouth's rebellion, one of his followers knowing the humane disposition of a lady of the name of Mrs. Gaunt, whose life was one continued exercise of beneficence, fled to her house, where he was concealed and maintained for some time. Hearing however of the proclamation which promised an indemnity and reward to those who discovered such as harboured the rebels, he betrayed his benefactress; and such was the spirit of justice and equity which prevailed among the ministers, that the ungrateful wretch was pardoned, and recompensed for his treachery, while his benefactress was burnt alive for her charity towards him.

SINGULAR DETECTIONS.

The temple of Juno at Sparta was once robbed, and an empty flaggon found left by the robbers. Much conjecture arose among the crowds who resorted to the temple, on the circumstance being known, when one man affecting to be wiser than the rest, said his opinion respecting the flaggon was, that the robbers had first drank the juice of hemlock before they

entered the Temple, and afterwards brought wine with them in the flaggon, to drink in case they escaped being caught in the fact, wine being known to counteract the effect of the poison ; but that should they be taken and suffer the hemlock to operate, they might die an easy death, rather than suffer the execution of the law. The company on hearing this shrewdly inferred, that such an ingenious device could not come from one that barely suspected the matter, but from actual knowledge of the circumstance. Upon this they crowded about him, and enquired who he was ? whence he came ? who knew him ? and how he had come to the knowledge he had stated ? His answers were equivocal, and being closely pressed, he at last confessed that he was one of the men that had committed the sacrilege.

At Delft, a servant girl was accused of being accessory to the robbery of her master's house, on a Sunday when the family were gone to church. She was condemned on circumstantial evidence, and suffered the severe punishment allotted by the laws of Holland to servants who rob their masters. Her conduct whilst confined was so exemplary, and her conduct had stood so fair previous to the imputed offence, that her master not only interceded to shorten her imprisonment, but received her again into his service.

Some time had elapsed after her release, when a circumstance occurred, which led to the detection of the real criminal, and consequently to the complete vindication of her innocence.

It happened as she was passing through the butcher's market at Delft, that one of them tapping her on the

shoulder, whispered in her ear some words of very remarkable import. She instantly recollected having used these very words on the fatal Sunday of the robbery, for which she had suffered, while she was surveying herself in a glass in her dressing room, and when as she supposed no one was near. With a palpitating heart she hastened to her master, and told him what had occurred. He was a magistrate, and immediately instituted an enquiry into the circumstances of the suspected person, from which it appeared that he had suddenly got up in the world subsequent to the robbery, nobody could tell how. This circumstance was deemed sufficient to justify a search being made, and the measures of the police were so arranged, that it was made at one and the same time in his own house, and that of his nearest kindred. The result was, that various articles which had been stolen from the magistrate's house, at the time the maid servant had been accused, were found and taken away.

It seems that the robber had concealed himself in the turf-solder, or garret where the turf was stowed away, adjoining which was the servant's chamber; and whilst the poor girl was dressing, the villain overheard the words which led to his detection, effected the robbery, and got off unperceived.

He was broken alive upon the rack, and the city gave a handsome portion to the sufferer, by way of compensation for the wrongs she had suffered.

PHILIP OF MACEDON.

Philip of Macedon rising from an entertainment at which he had sat some hours, was addressed by

a woman who begged him to hear her cause. He complied with her request immediately, but upon her saying some things that were not very agreeable to him, he gave sentence against her. The woman promptly but calmly replied, "Then I appeal." "How," said Philip, "from your king? to whom then?" "To Philip when fasting," said the woman. The manner in which he received this answer was worthy of a great prince. He afterwards gave the cause a second hearing, found the injustice of his sentence, and condemned himself to make it good.

The same monarch being urged to use his influence with the judges in behalf of a person whose reputation would be quite lost by the sentence which was going to be pronounced against him, said, "I had rather that the man should lose his reputation by an act of justice, than that I should forfeit mine by violating it."

ARTAXERXES.

One of the officers of Artaxerxes, King of Persia, of the name of Artibarzanes, solicited his majesty to confer a favour upon him, which if complied with, would be an act of injustice. The king learning that the promise of a considerable sum of money was the only motive that induced the officer to make such an unreasonable request, ordered his treasurer to give him thirty thousand dariuses, being a present of equal value with that which he was to have received. "Here," says the king, giving him an order for the money, "take this token of my friendship for you; a gift of this nature cannot make me poor, but com-

plying with your request would render me poor indeed, since it would make me unjust."

TO BE JUST IN TRIFLES.

Nouschirvan, King of Persia, being hunting one day, became desirous of eating some of the venison in the field. Some of his attendants went to a neighbouring village, and took away a quantity of salt to season it; but the king suspecting how they had acted, ordered that they should immediately go and pay for it. Then turning to his attendants, he said, "This is a small matter in itself, but a great one as it regards me; for a king ought ever to be just, because he is an example to his subjects; and if he swerves in trifles, they will become dissolute. If I cannot make all my people just in the smallest things, I can at least show them that it is possible to be so."

MEMORABLE EXAMPLE.

Cambyzes, King of Persia, was remarkable for the severity of his government, and his inexorable regard to justice. This prince had a favourite of the name of Sisamnes, whom he made a judge; but who presumed so far in the credit he had with his master, that justice was sold in the courts of judicature as openly as provisions in the market. When Cambyzes was informed of these proceedings, enraged to find his friendship so ungratefully abused, the honour of his government prostituted, and the liberty and property of his subjects sacrificed to the avarice of this wretched minion, he ordered him to be seized and

publicly degraded ; after which, he commanded his skin to be stripped over his ears, and the seat of judgment to be covered with it, as a warning to others. At the same time, to convince the world that this severity proceeded only from the love of justice, he permitted the son to succeed his father in the honours and office of prime minister, cautioning him that the same partiality and injustice should meet with a similar punishment. It is remarked of his successor, that he was one of the most upright judges that ever existed, but on many occasions he was observed to wriggle very much in his seat.

DELAY OF JUDGMENT.

Juvenalis, a widow, complained to Theodoric, King of the Romans, that a suit of her's had been in court three years, which might have been decided in a few days. The king being informed who were her judges, gave orders that they should give all expedition to the poor woman's cause ; and in two days it was decided to her satisfaction. Theodoric then summoned the judges before him, and enquired how it was that they had done in two days what they had delayed for three years ? " The recommendation of your majesty," was the reply. " How," said the king, " when I put you in office, did I not consign all pleas and proceedings to you ? You deserve death for having delayed that justice for three years, which two days could accomplish ;" and, at that instant, he commanded their heads to be strack off.

A SOVEREIGN'S DUTY.

The haughty Solyman, Emperor of the Turks, in his attack on Hungary, took the city of Belgrade, which was considered as the bulwark of Christendom. After this important conquest, a woman of low rank approached him, and complained bitterly that some of his soldiers had carried off her cattle, in which consisted her sole wealth. "You must then have been in a deep sleep," said Solyman, smiling, "if you did not hear the robbers." "Yes, my sovereign," replied the woman, "I did sleep soundly, but it was in the fullest confidence that your highness watched for the public safety."

The emperor, who had an elevated mind, far from resenting this freedom, made the poor woman ample amends for the loss she had sustained.

PROMPT AND SIGNAL REDRESS.

The Emperor Camki, of China, being out hunting, and having strayed from his attendants, met with a poor old man, who wept bitterly, and appeared much afflicted for some extraordinary disaster. He rode up to him, and enquired the cause of his distress. "Alas ! sir," replied the old man, "though I should tell you the cause of my distress, it is not in your power to remedy it." "Perhaps, my good man, I may serve you," replied the emperor; upon which the man told him that all his sufferings were owing to a governor of one of the emperor's pleasure houses, who had seized upon a small estate of his near the

royal house, and had reduced him to beggary. Not contented with this inhuman treatment, he had forced his son to become his slave, and thus robbed him of the only support of his old age.

The emperor was so affected with this speech, and so fully resolved to punish a crime committed under the sanction of his authority, that he determined on immediately accompanying the old man to the governor; but not knowing to whom he spoke, the old man remonstrated on the danger of such a mission; and being unable to dissuade him from it, pleaded his inability to keep pace with the emperor, who was mounted. "I am young," answered the emperor, "do you get on horseback, and I will go on foot." The old man not accepting the offer, the emperor took him up behind him, notwithstanding his ragged and filthy appearance, and they soon arrived at the house. The emperor asked for the governor, who appearing, was greatly surprised, when the prince in accosting him discovered to him the embroidered dragon, which he wore on his breast, and which his hunting dress had concealed. It happened, as if to render more famous this memorable act of justice and humanity, that most of the nobles who had followed the emperor in the chase came up at the time; and before this grand assembly, he reproached the old man's persecutor with his signal injustice; and after obliging him to restore to him his estate and son, he ordered his head to be instantly cut off. He did more; he put the old man in his place, admonishing him to take care, lest fortune changing his manners, another might avail himself hereafter of his injustice, as he now had of the injustice of the governor.

THE EMPEROR JULIAN.

When Numerius, governor of the Narbonnoise Gaul, was impeached of plundering his province, he denied the charge, and baffled his accusers : on which a famous lawyer cried out to the emperor, “ Cæsar, who will ever be found guilty, if it is sufficient for a man to deny the charge?” To which Julian answered, “ But who will appear innocent, if a bare accusation is sufficient?”

SALADIN.

Saladin, the Sultan of Egypt, though he had dominions enough of his own, was always ready when occasion offered to make free with those belonging to others. At his return, without success, from the siege of Mousul in Syria, he seized the whole lordship of Emessa, in prejudice to the right of Nasir Eddin, the young prince who claimed it. And this he did upon pretence that the father of the youth had forfeited it, by giving countenance to confederacies against the sultan's interest. Saladin, however, ordered that proper care should be taken of the injured prince's education ; and being desirous to observe what progress he made in his studies, he was brought one day before the sultan, who asked him, with much gravity, in what part of the Alcoran he was reading? “ I am come,” replied the young prince, to the surprise of all who were near him, “ to that verse which informs me, that he who devours the estates of orphans is not a

king, but a tyrant." The sultan was much startled at the turn and spirit of this repartee ; but after some pause and recollection, returned the youth this generous answer : " He who speaks with such resolution, would act with so much courage, that I restore you to your father's possessions, lest I should be thought to stand in fear of a virtue which I only reverence."

CALIPH RECLAIMED.

Hakkam, the son and successor of Abdoubrahman III. wanting to enlarge his palace, proposed to purchase from a poor woman a piece of ground that lay contiguous to it ; and when she could not be prevailed on to part with the inheritance of her ancestors, Hakkam's officers took by force what they could not otherwise obtain. The poor woman applied to Ibn-Bechir, the chief magistrate of Corduba, for justice. The case was delicate and dangerous, and Bechir concluded that the ordinary methods of proceeding would be ineffectual, if not fatal. He mounted his ass, and taking a large sack with him, rode to the palace of the caliph. The prince happened to be sitting in a pavilion that had been erected in the poor woman's garden. Bechir, with his sack in his hand, advanced towards him, and after prostrating himself, desired the caliph would permit him to fill his sack with earth in that garden. Hakkam showed some surprise at his appearance and request, but allowed him to fill his sack. When this was done, the magistrate entreated the prince to assist him in laying the burden on his ass. This extraordinary

request surprised Hakkam still more; but he only told the judge it was too heavy; he could not bear it. "Yet this sack," replied Bechir, with a noble assurance, "this sack, which you think too heavy to bear, contains but a small portion of that ground which you took by violence from the right owner. How then will you be able at the day of judgment to support the weight of the whole?" The remonstrance was effectual; and Hakkam without delay restored the ground, with the buildings upon it, to the former proprietor.

TURKISH CADIES.

Bajazet the First was so incensed at the complaints constantly made to him of the corrupt conduct of his cadies in the administration of justice, that he came to the extraordinary resolution of assembling the whole of them together, and then causing the house in which they were to be set on fire, that they might all be consumed at once, and a lesson be thus given to their successors, on the beauty of being just, which they would not easily forget. Having given a hint of his intention to Hally Bassa, one of his counsellors, a man of much prudence and moderation, the latter sought and found out a way to appease him. Bajazet had an Ethiopian boy, whom he took great delight in, and allowed to say whatever he pleased. Hally Bassa having instructed the boy what he should say, sent him into the emperor in a habit more gay than was usual with him. "What is the matter," said Bajazet, "that thou art thus gallant to day?" "I am," said the boy, "going from

thee to the Emperor of Constantinople." "To him that is our enemy!" replied the prince. "What wilt thou do there?" "I am going," said he, "to invite some old monks and devotees to do justice amongst us, since you are resolved to have all our cadies slain." "But my little Ethiop," said Bajazet, "what do they know of our laws?" On this Hally Bassa, who was standing by, reasonably observed, "They know nothing, my lord; is it not worth while therefore to pause before you cut off those that do?" "Why then," asked the emperor, "do they judge unjustly and corruptly?" "I will discover to my lord the cause of it," said Hally; "our cadies have no stipend allowed them out of the public treasury; they therefore indemnify themselves out of the purses of the suitors before them; place them above this temptation, and you will have effected the reform you wish." Bajazet was pleased with the counsel, and commissioned Hally to fix such salaries as he should think fit. Hally accordingly ordered, and it afterwards remained the law, "that every person who had an inheritance of so many thousand aspers, should, out of every thousand, allow twenty to the cadi of his district; and that for all instruments of marriage and similar contracts, he should have twenty more.

"And so," says Knowles, "their poverty was relieved, and justice duly administered."

A BRIBE WELL WEIGHED.

A poor man in Turkey claimed a house which a rich neighbour had usurped; he held his deeds and documents to prove his right, but his more powerful

opponent had provided a number of witnesses to invalidate them ; and to support their evidence more effectually, he presented the cadi with a bag containing five hundred ducats.

When the cause came to be heard, the poor man told his story, and produced his writings, but wanted that most essential and only valid proof, witnesses. The other, provided with witnesses, laid his whole stress on them, and on his adversary's defect in law, who could produce none ; he therefore urged the cadi to give sentence in his favour.

After the most pressing solicitations, the judge calmly drew from under his seat the bag of five hundred ducats, which the rich man had given him as a bribe ; saying to him very gravely, " You have been much mistaken in this suit ; for if the poor man could bring no witnesses in confirmation of his right, I myself can produce at least five hundred." He then threw him the bag with reproach and indignation, and decreed the house to the poor plaintiff.

CONFLICT OF AFFECTION AND DUTY.

A grocer of the City of Smyrna had a son, who with the help of the little learning the country could afford, rose to the post of Naib, or Deputy of the Cadi ; and as such visited the markets, and inspected the weights and measures of all retail dealers. One day as this officer was going his rounds, the neighbours, who knew enough of his father's character to suspect that he might stand in need of the caution, advised him to remove his weights ; but the old cheat trusting to his relationship to the inspector, laughed

at their advice. The naib on coming to his shop, coolly said to him, "Good man, fetch out your weights, that we may examine them." Instead of obeying, the grocer endeavoured to evade the order with a laugh; but was soon convinced that his son was serious, by his ordering the officers to search his shop. The instruments of his fraud were soon discovered; and after an impartial examination, openly condemned and broken to pieces. He was also sentenced to a fine of fifty piastres, and to receive a bastinado of as many blows on the soles of his feet.

All this being effected on the spot, the naib leaping from his horse, threw himself at the feet of his father, and watering them with his tears, thus addressed him: "Father, I have discharged my duty to my God, my sovereign, and my country, as well as to the station I hold; permit me now, by my respect and submission, to acquit the debt I owe a parent. Justice is blind; it is the power of God on earth; it has no regard to the ties of kindred. God and our neighbours' rights are above the ties of nature; you had offended against the laws of justice; you deserved this punishment, but I am sorry it was your fate to receive it from me. My conscience would not suffer me to act otherwise. Behave better for the future; and instead of censuring me, pity my being reduced to so cruel a necessity."

So extraordinary an act of justice gained him the acclamations and praises of the whole city; and a report of it being made to the Sublime Porte, the Sultan advanced the Naib to the post of Cadi, and he soon after rose to the dignity of Mufti.

A FAIR CONDITION.

A ship freighted at Alexandria by some Turks, to bring them and their merchandize to Constantinople, met with a violent storm in the passage. The master told those freighters who were on board, that he could not save the ship, nor their lives, but by throwing overboard all the goods on the deck. They consented, as well for themselves as for other freighters at Constantinople ; but when the ship arrived there, they united to prosecute the master for the value of the goods. The Moulah of Galata, before whom he was summoned, had the case fully represented to him, and his deputy, as usual, had the promise of a reward.

When the parties appeared, and the witnesses were examined, the Moulah reflected some time, took down his book, and gravely opening it, told them that the book declared, that the master should pay the true value of those very goods ; that is, what the freighters could prove, by witnesses, any one would give for them, or what they were really worth, on board the ship, at the very moment the master was constrained to throw them into the sea, as the only means by which he could save the lives of his passengers, amongst whom were the persons who now sued him.

The freighters ran out of court to seek witnesses ; but the judge, who knew none could be procured, without further hesitation gave his written decree in favour of the master.

MODERN TURKISH PRACTICE.

The administration of justice has in more recent times become notoriously and avowedly corrupt in Turkey. The testimony of a Mussulman of the most infamous character, is always preferred to that of the most respectable christian; and the slight disgrace imposed by the law on gross perjury, is seldom if ever inflicted. In criminal cases, every thing depends upon the mere caprice of the judge. The life of man, concerning which no deliberation can be too long, is hastily sentenced away, without reflection, according to the influence of passion, or the impulse of the moment. A complaint was preferred to the vizier, against some soldiers who had insulted the gentlemen of the Russian embassy : the vizier made a horizontal motion with his hand, and before the conference was over, seven heads were rolled from a sack at the feet of Prince Repnin. A man, caught in the act of pilfering property during a fire, has been thrown into the flames by order of the vizier. A housebreaker detected in robbery, is hanged up, without process, at the door of the house he has robbed. Shopkeepers, or dealers, convicted of using false weights or measures, are fined, bastinadoed, or nailed by the ear to their own door post. Punishments, too, is frequently inflicted on the innocent, while the guilty enjoy the fruits of criminality. A Swedish gentleman walking one day in the streets of Constantinople, saw the body of an Armenian hanging from the front of a baker's shop. He enquired of a bystander for what crime the poor wretch had suffered? "The vizier," said he, "in passing by early in the morning,

stopped and ordered the loaves to be weighed ; and finding them short of weight, immediately ordered the execution of the person in the shop." "How severe a punishment for so slight a crime !" "It was thought severe," replied the Turk, "for the Christian was but a servant, whose wages were twenty *paras* a day, and whose master derived the whole benefit from the deficiency in the weight of the bread." And yet other Armenians had already occupied the vacant place, and were serving the customers with the greatest indifference.

COMMON LAW OF ENGLAND.

The appellation of *common law* originated with Edward the Confessor. The Saxons, though divided into many kingdoms, yet in their manners, laws, and languages were similar. The slight differences which existed between the Mercian law, the West Saxon law, and the Danish law, were removed by Edward with great facility, and without any dissatisfaction ; and he made his alteration rather famous by a new name, than by new matter, for abolishing the three distinctions above mentioned, he called it the Common Law of England, and ordained that no part of the kingdom should be governed by any particular law, but all by one. The common law, as contradistinguished from the statute law, consists of those rules and maxims concerning the persons and property of men, that have obtained by the tacit assent and usage of the inhabitants of this country ; the consent and approbation of the people being signified by their immemorial use and practice.

CONFINEMENT IN IRONS.

When it was once urged to Lord Chief Justice King, that irons were absolutely necessary to safe custody, his lordship, who was of opinion with Bracton, that such a mode of confinement is as contrary to law as to humanity, replied, "That they might build their walls higher." The neglect of this legal precaution can certainly be no excuse for the infliction of an illegal punishment. The truth is, as Mr. Buxton justly observes, "a man is very rarely ironed for his own misdeeds, but very frequently for those of others; additional irons on his person are cheaper than additional elevation to the walls. Thus we cover our own negligence by increased severity from captives."

In 1782, Lord Loughborough imposed a fine of twenty pounds on the keeper of Norwich Castle, for putting irons on a woman. And yet we are told by Mr. Neild, that on a recent survey of the gaol at Brecon, there were, among other persons, half starved and cruelly treated, *two women, without shoes and stockings, heavily loaded with double irons!!!*

ESCAPES FROM THE GALLOWS.

In Plott's History of Staffordshire, we are told that in the reign of Henry III., one Judith de Balsham was condemned for receiving and concealing thieves, and hanged from nine o'clock on Monday morning, till sun-rise on Tuesday following, and yet escaped with life! In evidence of this most incredible story,

Plott recites verbatim, a royal pardon granted to the woman, in which the fact is circumstantially recorded. "Quia Inetta de Balsham pro receptamento Latronum ei imposito nuper, per considerationem Curie nostre suspendio adjudicata et ab hora nona diei Lune usque post ortum solis diei Martis sequen. suspensa, viva evasit sicut ex testimonio fide dignorum accepimus." What can be said against such testimony as this? Nothing perhaps but that the thing is impossible. The days of Henry III. were days of priestly imposture; and there have been grosser juggles in the annals of unholy craft, than hanging a woman for twenty-four hours without killing her!

In the Account of Oxfordshire by the same author, we find a remarkable notice of the woman Greene, who after being hanged, was recovered by Sir William Petty. (See Anecdotes of Science, p. 117.) The time of suspension, it may be necessary to observe, was not quite so long as that of Judith de Balsham; she hung only about half an hour. "What was most remarkable," says Plott, "and distinguished the hand of Providence in her recovery, she was found to be innocent of the crime for which she suffered."

SUFFERER FOR CONSCIENCE SAKE.

Among the prosecutions for conscience sake which disgraced the reign of Henry the Fourth, none is more interesting than that of Mr. William Thorpe, a follower of Wickliffe, of which an account written by himself is preserved in Fox's Acts and Monuments. It is not only interesting as an apparently authentic record of

the proceedings, but as a specimen of the language and manners of the times. The trial took place before Arundel, Archbishop of Canterbury, in 1407. In the pious exhortations of the archbishop to this heretic, there is a mixture of argument, and scolding, and swearing, which is altogether very amusing. After a long conference, in which the archbishop seldom condescended to address him by any other appellation than that of "Lewde Lossel," he asked him definitively to submit to the ordinances of the church; but receiving only a conditional answer:---"Than the archebishop, striking with his honde ferseylye upon a cupborde, spake to me with a greate spyrite, saying, 'But yf thou leave soche additions, obliging the now here without ony excepcion to mine ordinaunce, or that I go out of this place, I shall make the as sure as ony thefe that is in the pryson of Lantern. Advyse the now what thou wilt do.'"

And in the same spirit of christian meekness, his grace concluded by telling Thorpe, "By —— I shall settle upon thy shynes a pair of perlis, that thou shalt be gladde to change thy-voice."

Thorpe, resolute in his nonconformity, was committed to prison, and there is no record of what became of him, though it is probable that the worthy archbishop took the humane advice of the bystanders, some of whom mercifully advised his grace to burn him, and others to drown him in the sea.

PRINCE HENRY AND CHIEF JUSTICE GASCOIGNE.

A favourite servant of King Henry V., when Prince of Wales, was indicted for a misdemeanor; and not-

withstanding the interest he exerted in his behalf, was convicted and condemned. The prince was so incensed at the issue of the trial, that forgetting his own dignity and the respect due to the administration of justice, he rushed into court, and commanded that his servant should be unfettered and set at liberty. The Chief Justice, Sir William Gascoigne, mildly reminded the prince of the reverence which was due to the ancient laws of the kingdom; and advised him, if he had any hope of exempting the culprit from the vigour of his sentence, to apply for the gracious pardon of the king, his father, a course of proceeding which would be no derogation to either law or justice. The prince, far from being appeased by this discreet answer, hastily turned towards the prisoner, and was attempting to take him by force out of the hands of the officers, when the chief justice, roused by so flagrant a contempt of authority, commanded the prince on his allegiance instantly to leave the prisoner and quit the court. Henry, all in a fury, stepped up to the judgment seat, with the intention, as every one thought, of doing some personal violence to the chief justice; but he quickly stopped short, awed by the majestic sternness which frowned from the brow of the judge as he thus addressed him: "Sir, remember yourself. I keep here the place of the king, your sovereign lord and father, to whom you owe double allegiance. In his name, therefore, I charge you to desist from your disobedience and unlawful enterprise, and henceforth give a better example to those who shall hereafter be your own subjects. And now, for the contempt and disobedience you have shewn, I commit you to the prison of the King's Bench, there

to remain until the pleasure of the king, your father, be known."

Henry, by this time sensible of the insult he had offered the laws of his country, suffered himself to be quietly conducted to gaol by the officers of justice. His father, Henry IV., was no sooner informed of this transaction, than he exclaimed in a transport of joy, "Happy is the king who has a magistrate possessed of courage to execute the laws; and still more happy in having a son who will submit to the punishment inflicted for offending them."

The prince himself when he came to be king, speaking of Sir William Gascoigne, said, "I shall ever hold him worthy of his place, and of my favour; and I wish that all my judges may possess the like undaunted courage, to punish offenders of what rank soever."

INFLEXIBLE JUDGES.

Louis XI. proposing to cajole his court of parliament of Paris, if it should refuse to publish certain new ordinances which he had made, and the masters of that court being informed of the king's intentions, went to him in their robes. The king enquired their business? "Sir," answered the President La Vacquery, "we are come here determined to lose our lives, every one of us, rather than by our connivance any unjust ordinances should take place." The king, amazed at this answer of La Vacquery, and at the constancy of the parliament, gave them gracious entertainment, and commanded that the edicts which he intended to

have published, should be immediately cancelled in their presence; swearing, that thenceforward he never would make edicts that should not be just and equitable.

Morvilliers, keeper of the seals to Charles the Ninth of France, was one day ordered by his sovereign to put the seals to the pardon of a nobleman who had committed murder. He refused. The king then took the seals out of his hands, and having put them himself to the instrument of remission, returned them immediately to Morvilliers; who refused to take them again, saying, "The seals have twice put me in a situation of great honour; once when I received them, and again when I resigned them."

Louis the Fourteenth had granted a pardon to a nobleman who had committed some very great crime. M. Voisin, the chancellor, ran to him in his closet, and exclaimed, "Sire, you cannot pardon a person in the situation of Mr. ———." "I have promised him," replied the king, who was ever impatient of contradiction; "go and fetch the great seal." "But, sire,"—"Pray, sir, do as I order you." The chancellor returns with the seals; Louis applies them himself to the instrument, containing the pardon, and gives them again to the chancellor. "They are polluted now, sire," exclaims this intrepid and excellent magistrate, pushing them from him on the table, "I cannot take them again." "What an impracticable man!" cries the monarch, and throws the pardon into the fire. "I will now, sire, take them again," said the chancellor; "the fire you know purifies every thing."

SIR THOMAS MORE.

When Sir Thomas More was lord chancellor in the reign of Henry VIII., he ordered a gentleman to pay a sum of money to a poor woman, whom he had wronged. The gentleman said, "Then I hope your lordship will grant me a long day to pay it." "I will grant your motion," said the chancellor; "Monday next is St. Barnabas' Day, which is the longest day in the year; pay it to the widow that day, or I will commit you to the Fleet Prison."

QUEEN MARY.

Queen Mary, until her marriage with Philip the Second, appears to have been merciful and humane; for Hollinshed says, that when she appointed Sir Richard Morgan Chief Justice of the Common Pleas, she told him, "that notwithstanding the *old error* which did not admit any witness to speak, or any other matter to be heard, (her majesty being party) that her pleasure was, that whatsoever could be brought in favour of the subject, should be admitted to be heard; and moreover, that the justices should not persuade themselves to put in judgment, otherwise for her highness than for her subject."

ARCHBISHOP CRANMER.

² Persecution for religious opinions assumed the most terrific form in the reign of the sanguinary Mary. Among the proceedings of the furious Bonner, there

is none more affecting than the trial of Archbishop Cranmer for treason and heresy. The following extract from the state trials exhibits a lively portrait of the degradation of Cranmer, and the exulting pride of his enemy.

“ Then they invested him (Cranmer) in all manner of robes of a bishop and archbishop, as he is at his installing, saving that as every thing then is most rich and costly, so every thing in this is of canvas and old clouts, with a mitre and a pall of the same suit, done upon him in mockery, and then the crosier staff was put in his hand.

“ This done, after the Pope’s pontifical form and manner, Bonner, who, by the space of many years, had borne, as it seemeth, no great good will towards him, and now rejoiced to see this day wherein he might triumph over him, and take his pleasure at full, began to stretch out his eloquence, making his oration to the assembly after this manner of sort.

“ This is the man that hath ever despised the Pope’s holiness, and now is to be judged by him. This is the man who hath pulled down so many churches, and now is come to be judged in a church. This is the man that condemned the blessed sacrament of the altar, and now is come to be condemned before that blessed sacrament hanging over the altar. This is the man that, like Lucifer, sat in the place of Christ upon an altar to judge others, and now is come before an altar to be judged himself.”

The story of Cranmer’s recantation signed by him, on a promise of life which was afterwards violated, is known to all our readers. After he had signed it, Dr. Cole received secret orders from the court to preach

in Cranmer's presence, in one of the churches of Oxford, an anticipation of his funeral sermon. On the day appointed, the archbishop was placed upon a stage in front of the pulpit in a ragged gown, with an old square cap, to hear the sermon, which was performed by Dr. Cole to admiration. After expatiating on the justice of his sentence, the preacher addressed the audience, and bade them take warning by the fate of, so great a man; then directing himself personally to Cranmer, he lauded him for his conversion, and exhorted him to imitate the "rejoicing" of St. Andrew on the cross, and the "patience" of St. Laurence in the fire.

The account of Cranmer's shame and remorse during this edifying harangue, is very pathetic and striking. It is a powerful specimen of old English writing.

"Cranmer in all this meantime, with what grief of mind he stood hearing the sermon, the outward shew of his body did better express than any man can declare; one while lifting up his hands and eyes unto heaven, and then again for shame letting them down to the earth. A man might have seen the very image and shape of perfect sorrow lively in him expressed. More than twenty several times the tears gushed out abundantly, dropping down his fatherly face. They which were present, do testify that they never saw in any child more tears than burst out from him at that time, all the sermon while, but especially when they recited his prayers before the people. It is marvellous what commiseration and pity moved all men's hearts, that he held so heavy a countenance and such abundance of tears in an old man, and of so reverend a dignity."

FIT PUNISHMENT.

An officer of rank in the army of Louis the Twelfth of France having ill-treated a peasant, the monarch made him live for a few days upon wine and meat. The officer, tired of this very heating diet, requested permission to have some bread allowed him. The king sent for him, and said, "How could you be so foolish as to ill-treat those persons who put bread into your mouth?"

LORD STOURTON.

Lord Stourton was in the year 1556 tried at Westminster Hall for the murder of a Mr. Hartgyl and his son under very aggravated circumstances. The commission for trying him was directed to the judges, and some of the privy council. At first his lordship refused to plead, but the chief justice informed him that if he persisted in his refusal, his rank could not excuse him from being pressed to death. Upon this he confessed the fact, and was hanged in a silken halter at Salisbury. His monument was some years ago to be seen in the cathedral of that city, with the silken halter hanging over it.

CIRCUMSTANTIAL EVIDENCE.

1.---A gentleman having been revelling abroad, was returning home late at night; but overcome with wine, he fell down in the street, and lay there in a state of insensibility. Soon after two persons who were passing having quarrelled, one of them observing

that the drunkard had a sword by his side, snatched it away, and with it run his adversary through the body. Leaving the instrument sticking in the wound, he ran off as fast as he could. When the watchman of the night came in the course of his rounds to the scene of this tragedy, and saw one man lying dead with a sword in his body, and another lying near him in a state of drunkenness with his scabbard empty, he had no doubt whatever that the crime and the offender were both before him ; and seizing the drunkard, he conveyed him to prison.

Next morning he was examined before a magistrate ; and being unable to remove the strong presumption which circumstances established against him, he was committed for trial. When tried, he was found guilty ; and immediately executed for the murder of which he was perfectly innocent.

The real criminal was some time after condemned to death for another offence ; and in his last moments confessed how he had made use of the reveller's sword to execute his own private revenge.

2.---In the reign of Queen Elizabeth, a person was arraigned before Sir James Dyer, Lord Chief Justice of Common Pleas, upon an indictment for the murder of a man who dwelt in the same parish with the prisoner.

The first witness against him deposed, that on a certain day, mentioned by the witness, in the morning, as he was going through a close which he particularly described, at some distance from the path, he saw a person lying dead, and that two wounds appeared in his breast, and his shirt and clothes were much stained

with blood ; that the wounds appeared to the witness to have been made by the puncture of a fork or some such instrument, and looking about he discovered a fork lying near the corpse, which he took up, and observed it to be marked with the initials of the prisoner's name : here the witness produced the fork in court, which the prisoner owned to be his.

The prisoner waved asking the witness any questions.

A second witness deposed, that on the morning of the day on which the deceased was killed, the witness had risen very early with an intention of going to a neighbouring market town, which he mentioned ; that as he was standing in the entry of his own dwelling house, the street door being open, he saw the prisoner come by, dressed in a suit of clothes, the colour and fashion of which he described ; that he (the witness) was prevented from going to market, and that afterwards the first witness brought notice to the town of the death and wounds of the deceased, and of the prisoner's fork being found near the corpse ; that upon this report the prisoner was apprehended, and carried before a justice of peace ; that he, this witness, followed the prisoner to the justice's house, and attended his examination, during which he observed the exchange of clothes the prisoner had made since the time he had seen him in the morning ; that on the witness charging him with having changed his clothes, he gave several shuffling answers, and would have denied it ; that upon witness mentioning this circumstance of change of dress, the justice granted a warrant to search the prisoner's house for the clothes described by the witness as having been put off since the morning ; that this witness attended and assisted at the search ;

that after a nice search of two hours and upwards, the very clothes the witness had described, were discovered concealed in a straw bed. He then produced the bloody clothes in court, which the prisoner owned to be his clothes, and to have been thrust in the straw bed with the intention to conceal them on the account of their being bloody.

The prisoner also waved asking this second witness any questions.

A third witness deposed to his having heard the prisoner deliver certain menaces against the deceased, whence the prosecutor intended to infer a proof of *malice propense*. In answer to this the prisoner proposed certain questions to the court, leading to a discovery of the occasion of the menacing expressions deposed to; and from the witness's answer to those questions, it appeared that the deceased had first menaced the prisoner.

The prisoner being called upon for his defence, addressed the following narration to the court, as containing all he knew concerning the manners and circumstances of the death of the deceased, viz. "That he rented a close in the same parish with the deceased, and that the deceased rented another close adjoining to it; that the only way to his own close was through that of the deceased; and that on the day the murder in the indictment was said to be committed, he rose early in the morning, in order to go to work in his close with his fork in his hand, and passing through the deceased's ground, he observed a man at some distance from the path, lying down as if dead or drunk; that he thought himself bound to see what condition the person was in; and on getting up to him he found him

at the last extremity, with two wounds in his breast, from which much blood had issued. That in order to relieve him, he raised him up, and with great difficulty set him on his lap ; that he told the deceased he was greatly concerned at his unhappy fate, and the more so as there appeared reason to think he had been murdered. That he entreated the deceased to discover if possible who it was, assuring him he would do his best endeavours to bring him to justice ; that the deceased seemed to be sensible of what he said, and in the midst of his agonies attempted to speak to him, but was seized with a rattling in his throat, gave a hard struggle, then a dreadful groan, and vomiting a deal of blood, some of which fell on his (the prisoner's) clothes, he expired in his arms. That the shock he felt on account of this accident was not to be expressed, and the rather as it was well known that there had been a difference between the deceased and himself, on which account he might possibly be suspected of the murder. That he therefore thought it advisable to leave the deceased in the condition he was, and take no further notice of the matter ; that in the confusion he was in when he left the place, he took the deceased's fork away instead of his own, which was by the side of the corpse. That being obliged to go to his work, he thought it best to shift his clothes, and that they might not be seen, he confessed that he had hid them in the place where they were found. That it was true he had denied before the justice that he had changed his clothes, being conscious this was an ugly circumstance that might be urged against him, being unwilling to be brought into trouble if he could help it. And concluded his story with a most solemn de-

claration, that he had related nothing but the exact truth, without adding or diminishing one tittle, as he should answer for it to God Almighty."

Being then called upon to produce his witnesses, the prisoner answered with a steady, composed countenance and resolution of voice, "*He had no witnesses but God and his own conscience.*"

The judge then proceeded to deliver his charge, in which he pathetically enlarged on the heinousness of the crime, and laid great stress on the force of the evidence, which although *circumstantial only*, he declared he thought to be irresistible, and little inferior to the most positive proof. The prisoner had indeed cooked up a very plausible story; but if such or the like allegations were to be admitted in a case of this kind, no murderer would ever be brought to justice, such deeds being generally perpetrated in the dark, and with the greatest secrecy. The present case was exempted in his opinion from all possibility of doubt, and they ought not to hesitate one moment about finding the prisoner guilty.

The foreman begged of his lordship, as this was a case of life and death, that the jury might withdraw; and upon this motion, an officer was sworn to keep the jury locked up.

This trial came on the first in the morning, and the judge having sat till nine at night expecting the return of the jury, at last sent an officer to enquire if they were agreed on their verdict, and to signify to them that his lordship would wait no longer for them. Some of them returned for answer, that eleven of their body had been of the same mind from the first, but that it was their misfortune to have a foreman that proved

to be a singular instance of the most inveterate obstinacy, who having taken up a different opinion from them, was unalterably fixed in it. The messenger was no sooner returned, but the complaining members, alarmed at the thought of being kept under confinement all night, and despairing of bringing their dissenting brother over to their own way of thinking, agreed to accede to his opinion, and having acquainted him with their resolution, they sent an officer to detain his lordship a few minutes, and then went into court, and by their foreman brought in the prisoner *not guilty*.

His lordship could not help expressing the greatest surprise and indignation at this unexpected verdict; and after giving the jury a severe admonition, he refused to record the verdict, and sent them back again, with directions that they should be locked up all night without *fire or candle*. The whole blame was publicly laid on the foreman by the rest of the members, and they spent the night in loading him with reflections, and bewailing their unhappy fate in being associated with so hardened a wretch. But he remained inflexible, constantly declaring he would suffer death rather than change his opinion.

As soon as his lordship came into court next morning he sent again to the jury, on which the eleven members joined in requesting their foreman to go into court, assuring him they would abide by their former verdict whatever was the consequence; and on being reproached with their former inconstancy, they promised never to desert or recriminate upon their foreman any more.

Upon these assurances they proceeded again into court, and again brought in the prisoner *not guilty*.

The judge, unable to conceal his rage at a verdict which appeared to him in the most iniquitous light, reproached them with the severest censures, and dismissed them with this cutting reflection, "*That the blood of the deceased lay at their doors.*"

The prisoner on his part fell down on his knees, and with uplifted eyes and hands to God thanked him most devoutly for his deliverance; and addressing himself to the judge, cried out, "*You see, my lord, that God and a good conscience are the best of witnesses.*"

The circumstances made a deep impression on the mind of the judge; and as soon as he had retired from court, he entered into conversation with the high sheriff upon what had passed, and particularly examined him as to his knowledge of the foreman of the jury. The high sheriff answered his lordship, that he had been acquainted with him many years; that he had a freehold estate of his own of above £50 a year; and that he rented a very considerable farm besides; that he never knew him charged with an ill action, and that he was universally beloved and esteemed in his neighbourhood.

For further information, his lordship sent for the minister of the parish, who gave the same favourable account of his parishioner, with this addition, that he was a constant churchman, and a devout communicant.

These accounts increased his lordship's perplexity, from which he could think of no expedient to deliver himself, but by having a conference in private with the only person who could give him satisfaction; this he requested the sheriff to procure, who readily offered his service, and without delay brought about the desired interview

Upon the foreman of the jury being introduced to the judge, his lordship retired with him into a closet, where his lordship opened his reasons for desiring that visit, making no scruple of acknowledging the uneasiness he was under on account of the verdict, and conjuring his visitor frankly to discover his reasons for acquitting the prisoner. The juryman returned for answer, that he had sufficient reason to justify his conduct, and that he was neither ashamed nor afraid to reveal them; but as he had hitherto locked them up in his own breast, and was under no compulsion to disclose them, he expected his lordship would engage upon his honour to keep what he was about to unfold to him, as a secret, as he himself had done. His lordship having done so, the juryman proceeded to give his lordship the following account. That the deceased being the tythe man where he (the juryman) lived, he had the morning of his decease been in his (the juryman's) grounds, amongst his corn, and had done him great injustice by taking more than his due, and acting otherwise in a most arbitrary manner. That when he complained of this treatment, he had not only been abused with scurrilous language, but that the deceased had likewise struck at him several times with his fork, and had actually wounded him in two places, the scars of which wounds he then shewed his lordship. That the deceased seemed bent on mischief, and he (the juryman) having no weapon to defend himself, had no other way to preserve his own life but by closing in with the deceased, and wrenching the fork out of his hands; which having effected, the deceased attempted to recover the fork, and in the scuffle received the two wounds which had occasioned his death. That he was inex-

pressibly concerned at the accident which occasioned his death, and especially when the prisoner was taken up on suspicion of the murder. That the former assizes being just over, he was unwilling to surrender himself and to confess the matter, because his farm and affairs would have been ruined by lying so long in gaol. That he was sure to have been acquitted on his trial, for he had consulted the ablest lawyers upon the case, who all agreed that as the deceased had been the aggressor, he could only have been guilty of manslaughter at most. That it was true he had suffered greatly in his own mind on the prisoner's account; but being well assured that imprisonment would be of less consequence to the prisoner than to himself, he had suffered the law to take its course. That in order to render the prisoner's confinement as easy to him as possible, he had given him every kind of assistance, and had wholly supported his family ever since. That in order to get him clear of the charge laid against him, he could think of no other expedient than that of procuring himself to be summoned on the jury, and set at the head of them; which with great labour and expense he had accomplished, having all along determined in his own breast rather to die himself, than to suffer any harm to be done to the prisoner.

His lordship expressed great satisfaction at this account; and after thanking him for it, and making this farther stipulation, that in case his lordship should survive him, he might then be at liberty to relate this story, that it might be delivered down to posterity, the conference broke up.

The juryman lived fifteen years afterwards; the judge enquired after him every year, and happening to survive him, delivered the above relation.

3.---A man was tried for and convicted of the murder of his own father. The evidence against him was merely circumstantial, and the principal witness was his sister. She proved that her father possessed a small income, which with his industry enabled him to live with comfort ; that her brother, who was his heir at law, had long expressed a great desire to come into possession of his father's effects ; and that he had long behaved in a very undutiful manner to him, wishing, as the witness believed, to put a period to his existence by uneasiness and vexation ; that on the evening the murder was committed, the deceased went a small distance from the house to milk a cow he had for some time kept, and that the witness also went out to spend the evening and to sleep, leaving only her brother in the house ; that returning home early in the morning, and finding that her father and brother were both absent, she was much alarmed, and sent for some of the neighbours to consult with them, and to receive advice what should be done ; that in company with these neighbours she went to the hovel in which her father was accustomed to milk the cow, where they found him murdered in a most inhuman manner ; that a suspicion immediately falling on her brother, and there being then some snow upon the ground, in which the footsteps of a human being, to and from the hovel, were observed, it was agreed to take one of her brother's shoes, and to measure therewith the impressions in the snow ; this was done, and there did not remain a doubt that the impressions were made with his shoes. Thus confirmed in their suspicions, they then immediately went to the prisoner's room, and after a diligent search, they found

a hammer in the corner of a private drawer with several spots of blood upon it.

The circumstance of finding the deceased and the hammer, and the identity of the footsteps, as described by the former witness, were fully proved by the neighbours whom she had called ; and upon this evidence the prisoner was convicted and suffered death, but denied the act to the last.

About four years after, the sister who had been chief witness was extremely ill ; and understanding that there were no hopes of her recovery, she confessed that her father and brother having offended her, she was determined they should both die ; and accordingly when the former went to milk the cows, she followed him with her brother's hammer, and in his shoes ; that she felled her father with the hammer, and laid it where it was afterwards found ; that she then went from home, to give a better colour to the horrid transaction, and that her brother was perfectly innocent of the crime for which he had suffered.

She was immediately taken into custody, but died before she could be brought to trial.

4.---An upholsterer of the name of William Shaw, who was residing at Edinburgh in the year 1721, had a daughter Catherine who lived with him, and who encouraged the addresses of John Lawson, a jeweller, contrary to the wishes of her father, who had insuperable objections against him, and urged his daughter to receive the addresses of a son of Alexander Robertson, a friend and neighbour. The girl refused

most peremptorily. The father grew enraged. Passionate expressions arose on both sides, and the words "barbarity, cruelty, and death," were frequently pronounced by the daughter. At length her father left her, locking the door after him."

The apartment of Shaw was only divided by a slight partition from that of one Morrison, a watch case maker, who had indistinctly heard the conversation and quarrel between Catherine Shaw and her father; and was particularly struck with the words she had pronounced so emphatically. For some time after the father had gone out all was silent; but presently Morrison heard several groans from the daughter. He called in some of the neighbours; and these listening attentively, not only heard the groans, but also her faintly exclaim, "Cruel father, thou art the cause of my *death!*" Struck with this, they got a constable, and forced the door of Shaw's apartment, where they found the daughter weltering in her blood, and a knife by her side. She was alive and speechless; but on questioning her as to owing her death to her father, she was just able to make a motion with her head, apparently in the affirmative, and then expired.

At this moment Shaw enters the room. All eyes are upon him! He sees his neighbours and a constable in his apartment, and seems much disordered; but at the sight of his daughter he turns pale, trembles, and is ready to sink. The first surprise and the succeeding horror leave little doubt of his guilt in the breasts of the beholders; and even that little is done away, on the constable discovering that the shirt of William Shaw is bloody.

He was instantly hurried before a magistrate, and upon the deposition of the parties committed for trial. In vain did he protest his innocence, and declare that the blood on his shirt was occasioned by his having blooded himself some days before, and the bandage having become untied. The circumstances appeared so strong against him, that he was found guilty, was executed, and hung in chains at Leith. His last words were, " I am innocent of my daughter's murder."

There was scarcely a person in Edinburgh who thought the father innocent ; but in the following year a man who had become the occupant of Shaw's apartment, accidentally discovered a paper which had fallen into a cavity on one side of the chimney. It was folded as a letter, and on opening it, was found to contain as follows : " Barbarous father ! your cruelty in having put it out of my power ever to join my fate to that of the only man I could love, and tyrannically insisting upon my marrying one whom I always hated, has made me form a resolution to put an end to an existence which is become a burthen to me."

This letter was signed, " Catherine Shaw ;" and on being shewn to her relations and friends, it was recognized as her writing. The magistracy of Edinburgh examined it, and on being satisfied of its authenticity, they ordered the body of William Shaw to be taken from the gibbet, and given to his family for interment ; and as the only reparation to his memory, and the honour of his surviving relations, they caused a pair of colours to be waved over his grave, in token of his innocence.

5.---In the year 1736, Mr. Hayes, a gentleman of fortune, in travelling, stopt at an inn in Oxfordshire kept by one Jonathan Bradford. He there met with two gentlemen with whom he supped, and in conversation unguardedly mentioned that he had then with him a considerable sum of money. Having retired to rest, the two gentlemen who slept in a double-bedded room, were awakened by deep groans in the adjoining chamber. They instantly arose, and proceeded silently to the room from whence the groans were heard. The door was half open, and on entering they perceived a person weltering in his blood, in the bed, and a man standing over him with a dark lantern in one hand and a knife in the other. They soon discovered that the gentleman murdered was the one with whom they had supped, and that the man who was standing over him was their host. They instantly seized him, disarmed him of the knife, and charged him with being the murderer. He positively denied the crime, and asserted that he came there with the same intentions as themselves; for that hearing a noise, which was succeeded by groans, he got up, struck a light, and armed himself with a knife in his defence, and was but that minute entered the room before them.

These assertions were of no avail; he was kept in close custody until morning, when he was taken before a neighbouring justice of peace, to whom the evidence appeared so decisive, that on writing out his mittimus, he hesitated not to say, "Mr. Bradford, either you or myself committed this murder."

At the ensuing assizes at Oxford, Bradford was tried, convicted, and shortly after executed, still how-

ever declaring that he was not guilty of the murder. This afterwards proved to be true ; the murder was actually committed by Mr. Hayes's footman, who immediately on stabbing his master, rifled his pockets, and escaped to his own room, which was scarcely two seconds before Bradford's entering the chamber. The world owes this knowledge to a remorse of conscience of the footman on his death-bed, eighteen months after the murder ; and dying almost immediately after he had made the declaration, justice lost its victim.

It is however remarkable, that Bradford, though innocent and not at all privy to the murder, was nevertheless a murderer in design. He confessed to the clergyman who attended him after his sentence, that having heard that Mr. Hayes had a large sum of money about him, he went to the chamber with the same diabolical intentions as the servant. He was struck with amazement ; he could not believe his senses ; and in turning back the bed clothes to assure himself of the fact, he in his agitation dropped his knife on the bleeding body, by which both his hand and the knife became stained, and thus increased the suspicious circumstances in which he was found.

6.---In the year 1742, a gentleman in travelling was stopped by a highwayman in a mask, within about seven miles of Hull, and robbed of a purse containing twenty guineas. The gentleman proceeded about two miles further, and stopped at the Bell Inn, kept by Mr. Brunell. He related the circumstances of the robbery, adding, that as all his gold was marked, he thought it probable that the robber would be de

tected. After he had supped, his host entered the room, and told him a circumstance had arisen which led him to think that he could point out the robber. He then informed the gentleman that he had a waiter, one John Jennings, whose conduct had long been very suspicious; he had long before dark sent him out to change a guinea for him, and that he had only come back since he (the gentleman) was in the house, saying he could not get change; and that Jennings being in liquor, he sent him to bed, resolving to discharge him in the morning. That at the time he returned him the guinea, he discovered it was not the same he had given him, but was marked, of which he took no further notice until he heard the particulars of the robbery, and that the guineas which the highwayman had taken were all marked. He added, that he had unluckily paid away the marked guinea to a man who lived at some distance.

Mr. Brunell was thanked for his information, and it was resolved to go softly to the room of Jennings, whom they found fast asleep; his pockets were searched, and from one of them was drawn a purse containing exactly nineteen guineas, which the gentleman identified. Jennings was dragged out of bed and charged with the robbery. He denied it most solemnly; but the facts having been deposed to on oath by the gentleman and Mr. Brunell, he was committed for trial.

So strong did the circumstances appear against Jennings, that several of his friends advised him to plead guilty, and throw himself on the mercy of the court. This advice he rejected; he was tried at the ensuing assizes, and the jury without going out of

court found him guilty. He was executed at Hull a short time after, but declared his innocence to the very last.

In less than twelve months after this event occurred, Brunell, the master of Jennings, was himself taken up for a robbery committed on a guest in his house, and the fact being proved on his trial, he was convicted and ordered for execution.

The approach of death brought on repentance ; and repentance, confession. Brunell not only acknowledged having committed many highway robberies, but also the very one for which poor Jennings suffered. The account he gave was, that after robbing the gentleman, he arrived at home some time before he came to his house. That he found a man at home waiting, to whom he owed a small bill, and not having quite enough of money, he took out of the purse one guinea from the twenty which he had just possessed himself of, to make up the sum, which he paid to the man, who then went away. Soon after the gentleman came to his house, and relating the account of the robbery, and that the guineas were marked, he became thunderstruck ! Having paid one of them away, and not daring to apply for it again, as the affair of the robbery and the marked guineas would soon become publicly known, detection, disgrace, and ruin appeared inevitable. Turning in his mind every way to escape, the thought of accusing and sacrificing poor Jennings at last struck him ; and thus to his other crimes he added that of the murder of an innocent man.

JUDICIAL PRECIPITATION.

The case of M. de Pivardiere is one of the most singular instances of criminal precipitation and iniquity that the annals of French justice furnishes. Madame de Chauvelin, his second wife, was accused of having had him assassinated in his castle. Two servant maids were witnesses of the murder ; his own daughter heard the cries and last words of her father : " My God ! have mercy upon me ! " One of the maid servants falling dangerously ill, took the sacrament ; and while she was performing this solemn act of religion, declared before God that her mistress intended to kill her master. Several other witnesses testified that they had seen linen stained with his blood ; others declared that they had heard the report of a gun, by which the assassination was supposed to have commenced. And yet, strange to relate, it turned out after all that there was no gun fired, no blood shed, nobody killed ! What remains is still more extraordinary : M. de la Pivardiere returned home ; he appears in person before the judges of the Province, who were preparing every thing to execute vengeance on his murderer. The judges are resolved not to lose their process ; they affirm to his face that he is dead ; they brand him with the accusation of imposture for saying that he is alive ; they tell him that he deserves exemplary punishment for coining a lie before the tribunal of justice ; and maintain that their procedure is more credible than his testimony ! In a word, this criminal process continued eighteen

months before the poor gentleman could obtain a declaration of the court that he was alive !

In the year 1770, a person of the name of Monthaille, without any accuser, witness, or any probable, or even suspicious circumstances, was seized by the superior tribunal of Arras, and condemned to have his hand cut off, to be broken on the wheel, and to be afterwards burnt alive for killing his mother. This sentence was executed, and his wife was on the point of being thrown into the flames as his accomplice, when she pleaded that she was *enceinte*, and gave the Chancellor of France, who was informed of the infernal iniquity that was perpetrating in the sacred name of justice, time to have the sentence as to her reversed. “The pen trembles in my hand,” says Voltaire, “when I relate these enormities ! We have seen by the letters of several French lawyers, that not one year passes, in which one tribunal or another does not stain the gibbet or the rack with the blood of unfortunate citizens, whose innocence is afterwards ascertained, when it is too late.”

VERDICT AGAINST EVIDENCE.

It has been well observed by a modern writer, that “we are very apt to mistake the foulness of a crime for certainty of evidence against the individual accused of it ; or in proportion as we are impressed with its enormity, the less nice we become in distinguishing the offender.” A striking illustration of this remark once presented itself. An atrocious murder having been committed, an unfortunate individual

was accused of being the murderer, and brought to trial. The judge charged the jury, that no evidence had been produced against the prisoner, and that therefore they must of necessity acquit him. To the surprise of the court, however, the jury returned a verdict of "Guilty." The verdict being recorded, the judge requested to know upon what shadow of proof it had been brought. "My lord," answered the foreman, "a great crime has been committed; somebody ought to suffer for it; and we do not see why it should not be this man!"

LORD CHANCELLOR BACON.

Among the foremost in the ranks of the fawning, treacherous, and corrupt courtiers that surrounded James the First, we discover with pain one of the greatest men that our country or the world has produced. The friends of science must ever regret that this character should apply to so sublime a genius as Lord Bacon.

The proceedings in the case of Peacham shew that there never was a more deliberate enemy to the liberties of his country, nor stauncher supporter of tyranny, even to its extreme verge. This unfortunate man was put to the torture, tried, convicted, and condemned as a traitor, for certain passages said to be treasonable in a sermon which was never preached, nor intended to be so, but only found in writing in his study. The minute made upon the occasion of his torture is still preserved. It is in the handwriting of Secretary Winwood, and states that he had been examined "before torture, in torture, between torture, and

after torture," and "that nothing could be drawn from him, he still persisting in his obstinate and insensible denials." This monument of tyranny is signed, among others, by Bacon ; and as a fit associate in so barbarous procedure, also by Sir Jervis Elwis, Lieutenant of the Tower, who was condemned and executed two years afterwards for being an accessory to the detestable and treacherous murder of Sir Thomas Overbury.

The case of Wraynham, who was punished by the Star Chamber for slandering Lord Bacon, by accusing him of injustice, is still more melancholy and instructive. He had a cause in chancery, on which his all depended, against Sir Edward Fisher ; and after expending his whole fortune, and that of several compassionate friends who assisted him, he had at last obtained from Lord Bacon's predecessor in the chancery a favourable judgment ; which Lord Bacon thought proper, without any cause assigned, to reverse. Wraynham applied for justice to the king, presenting him with a statement of his case, conveyed in language which if reprehensible, was at least pardonable in a man in his unhappy situation. The king handed over the imprudent supplicant to the Star Chamber. The lords asked him how he dared to speak in the manner which he had done of so pure and upright a character as the lord chancellor ? Wraynham replied by the following simple and affecting statement :

"In making this appeal, I mustered together all my miseries ; I saw my land taken away which had been before established unto me ; and after six and forty orders and twelve reports made in the cause ; nay, after motions, hearings, and re-hearings, fourscore

in number, I beheld all overthrown in a moment, and all overthrown without a new bill preferred. I discerned the representation of a prison gaping for me, in which I must from henceforth spend all the days of my life without release ; for in this suit I have spent almost £3000, and many of my friends were engaged for me, some injured, others undone ; and with this did accompany many eminent miseries likely to ensue upon me, my wife, and four children, the eldest of which being but five years old ; so that we that did every day give bread to others, must now beg bread of others, or else starve, which is the miserablest of all deaths ; and there being no means to move his majesty to hear the cause, but to accuse his lordship of injustice ; this and all these moved me to be sharp and bitter, and to use words, though dangerous in themselves, yet I hope pardonable in such extremities.”

Mr. Sergeant Crew, on the part of the crown, by way of aggravating Mr. Wraynham’s guilt, pronounced a most splendid eulogium on the lord chancellor, whose talents and integrity as a judge were such, he said, that it was a “foul offence” to traduce him. The learned sergeant farther observed, that at all events the prisoner could not accuse the lord chancellor of *corruption* ; “for, thanks be to God, he hath always despised riches, and set honour and justice before his eyes ; and where the magistrate is bribed, it is a sign of a corrupted state.”

The result of the business was, that the chamber imposed a fine on Wraynham, which completely ruined him.

Now mark the sequel ! Two years after the sacrifice of this unfortunate man and his family to the

purity of Lord Chancellor Bacon, his lordship was accused and convicted by his own confession of bribery and corruption, and gave in to parliament, under his own hand, a list of the bribes which he had received during the period of his filling the office of lord chancellor. In that list how revolting is it to perceive a bribe received *in this very case*, from the miserable Wraynham's opponent in the suit which reduced his family to beggary, and condemned himself to spend the remainder of his days in a jail !

SIR EDWARD COKE.

Preparatory to the trial of Peacham, Lord Chancellor Bacon, as appears by his own letters to the king, was employed by his majesty to overcome the scruples of some of the judges, who doubted whether the crime amounted to high treason. In this unconstitutional negociation he met with the stern opposition of Sir Edward Coke, who after Lord Bacon had searched the record for precedents, and perverted his intellect to the utmost, in order to bring the case under the description of treason, gave his written opinion against him. The king was much enraged at the opposition, and bitterly accused Sir Edward of "caring more for the safety of such a monster, than the preservation of the crown."

Sir Edward Coke always displayed an unconquerable zeal for correcting abuses, for establishing the authority of the laws, and confining the prerogative to its proper bounds. In the parliament which met in 1621, he towered beyond all preceding patriots in

the abilities he shewed in guiding the councils of that assembly, in the strength and propriety of the arguments he urged for the authority and privileges of parliament, turning by this conduct the smiles of a court into a commitment to the Tower, and a rifling of his papers. He, to his everlasting honour, was in the succeeding reign the man who proposed and framed the petition of right. The cares of the greatest part of his life were not only for the age in which he lived, but that posterity might feel the advantages of his almost unequalled labours. He was the first who reduced the knowledge of the English laws into a system. His voluminous writings on this subject have given light to all succeeding lawyers; and the improvements which have been made in this science owe their source to this great original; the service he rendered his country in this respect is invaluable. But whilst he laboured to his very last moments to render the law intelligible, and consequently serviceable, to his fellow citizens, he was oppressed in the most illegal manner by the government. Secretary Windebank, by virtue of an order of the council for seizing certain seditious papers, entered his house at the time he was dying, and took away his Commentary upon Littleton, his history of that judge's life, his Commentary upon *Magna Charta*, his Pleas of the Crown and Jurisdiction of Courts, with fifty-one other MSS. together with his will. The last was never returned, to the great distraction of his family affairs, and loss to his numerous posterity.

HABEAS CORPUS ACT.

Bishop Burnett relates a curious circumstance respecting the origin of that important statute, the Habeas Corpus Act. "It was carried," says he, "by an odd artifice in the House of Lords. Lord Grey and Lord Norris were named to be the tellers; Lord Norris being a man subject to vapours, was not at all times attentive to what he was doing; so a very fat lord coming in, Lord Grey counted him for ten, as a jest at first; but seeing Lord Norris had not observed it, he went on with this misreckoning of *ten*; so it was reported to the house, and declared that they who were for the bill were the majority, though it indeed went on the other side; and by this means the bill past."

SUPREMACY OF THE LAWS.

"The King of Spain," says Mr. Selden in his Table Talk, "was outlawed in Westminster Hall, I being of counsel against him; a merchant had recovered costs against him in a suit, which because he could not get, we advised him to have his majesty outlawed for not appearing, and so he was. As soon as Gondemar, the Spanish Ambassador, heard that, he presently sent the money; by reason if his master had been outlawed, he could not have had the benefit of the law, which would have been very prejudicial, there being then many suits between the King of Spain and our merchants."

When the ambassador of Peter the Great was arrested for debt in London, in the latter end of

Queen Anne's reign, the Czar expressed his astonishment and indignation, that the persons who had thus violated the respect due to the representative of a crowned head, were not immediately put to death. His astonishment was considerably increased when he was told, that the sovereign of the country himself had no power of dispensing with the laws of the land, to which he was himself subjected.

CHRISTIAN IV., KING OF DENMARK.

One Christopher Rosenkranz, in Copenhagen, demanded from the widow of Christian Tuul a debt of five thousand dollars. She was certain that she did not owe him any thing ; but he produced a bond signed by herself, and her deceased husband, which however she declared to be forged. The affair was brought before a court of justice, and the widow was condemned to pay the demand. In her distress, she applied to King Christian IV., who promised to take the affair into consideration. He sent for Rosenkranz, questioned him closely, begged, exhorted, but all to no purpose. The creditor appealed to the written bond. The king asked for the bond, sent Rosenkranz away, and promised that he would very soon return it to him. The king remained alone to examine this important paper, and discovered after much trouble, that the paper manufacturer whose mark was on the bond, had not begun his manufactory till many years after its date. The enquiries made, confirmed this fact. The proof against Rosenkranz was irrefragable. The king said nothing about it, but sent for Rosenkranz some days after, and exhorted him in the most

affecting manner to have pity on the poor widow, because otherwise the justice of heaven would certainly punish him for such wickedness. He unblushingly insisted on his demand, and even presumed to affect to be offended. The king's mildness went so far, that he still gave him some days for consideration; but all to no purpose. He was then arrested and punished with all the rigour of the laws.

LORD KEEPER WILLIAMS.

Williams, the lord keeper in the reign of James I., seeing a new church at Malden, enquired at whose cost it had been built? Mr. George Minors, who attended him, mentioned the name of the greatest benefactor. "And has he not a suit now depending in chancery?" said the keeper. "The same," answered Minors. "Well," said the keeper, "he shall not fare the worse for building of churches." This being told the gentleman, the next morning he sent a present of fruit and poultry to the lord keeper, who refused it, saying to Minors, "Carry it back, George, and tell your friend he shall fare never the better for his fruit and poultry."

LORD SANQUHAR.

In the reign of James the First, Lord Sanquhar was tried for procuring the murder of John Turner, a fencing master. His lordship and Turner were playing at foils at the house of Lord Norreys in Oxfordshire, when Lord Sanquhar told him, he played only as a scholar, not as a master. It was always a rule to spare the face; yet Turner pushed at his lordship's eye, and

and put it out. His lordship, though indignant at the injury he had received, passed it over for the time, without seeking any revenge ; but going to the court of France, Henry IV. asked him how he had lost his eye ? and being told by his lordship, he exclaimed, “ Does the man live ? ” This made such an impression on the young nobleman, that he returned to England, and caused Turner to be murdered in Whitefriars. The king would not suffer nobility to be a shelter to villainy, and ordered Sanquhar to be indicted in the court of King’s Bench. He challenged his trial by peers ; but that was denied him, as he was only a lord in Scotland, and not a lord in parliament, nor possessing any English barony. He was accordingly arraigned and found guilty, and executed in Great Palace Yard, before Westminster Hall gate, on a gibbet erected for the purpose.

Carlile and Irving, the two persons who murdered Turner, were hanged against the great gate of Whitefriars in Fleet Street. One of the gibbets was higher than the other, and Carlile being a gentleman, insisted that the manner of Scotland was, that when a gentleman was hanged with a man of meaner quality than himself, the gentleman had the honour of the highest, and thought himself wronged if it was not allowed him.

LORD BALMERINO.

On the trial of this nobleman for sedition, nine of the jury, with a single exception, were ineffectually challenged ; but when Traquair, a minister of state, was admitted, it was no longer doubtful that the rest were industriously selected for their hostility to Bal-

merino, or their devotion to the crown. The experiment did not entirely succeed. One of the jurymen, Gordon of Buckie, had been engaged in the murder of the Earl of Murray, and was appointed, therefore, as a sure man on the present occasion. When the jury had withdrawn, Gordon addressed them unexpectedly in the most pathetic terms, and conjured them to reflect that the life of an innocent nobleman was at stake, whose blood would lie heavy on their souls to the last hour of their lives. While the tears streamed down his aged cheeks, he protested that his hands had once been imbrued in blood, for which he had procured a pardon from his sovereign; but that it had cost him many sorrowful days and nights to obtain a remission to his conscience from heaven. The jury were moved with this impressive address; but Traquair, their foreman, resumed the argument, that it belonged to the court to determine whether the law was severe, or the petition seditious: whether the prisoner had concealed it, was all that remained for them to decide. After a long altercation, the jury were equally divided; and, in consequence of the final suffrage of Traquair, their foreman, Balmerino was convicted of having heard and concealed a seditious petition, and of having forborne to reveal the author. Sentence of death was immediately pronounced; but his execution, to the great umbrage of the prelates, was suspended during the pleasure of the king.

COLONEL LILBURN.

The account which is preserved in the state trials of the case of John Lilburn, (afterwards Colonel Lilburn),

prosecuted in the Star Chamber "for printing and publishing seditious books," and written by Lilburn himself, displays much of the dauntless and noble spirit which oppression never fails to call forth, and which afterwards animated the singularly intrepid author of this curious production successfully to brave Cromwell himself in the zenith of his power, when, to any other individual, the attempt must have been fatal.

Lilburn, at the time of his trial, was but twenty years of age. He was accused of sending over from Holland, for the purpose of being distributed in England, some of Dr. Bastwick's books ; and though he was innocent of the charge, he disdained to screen himself, which he might easily have done, by taking what was termed the Star Chamber oath, because he conceived it to be unlawful. For this piece of contumacy, he was fined £500, and sentenced to be publicly whipped. This punishment was inflicted with great barbarity ; and he was, the same day, in view of the Star Chamber judges, placed, with his back smarting under the pain of his lashes on the pillory, where, in consequence of his haranguing the people, he was gagged, imprisoned in irons for two years and a half in the Fleet, and treated there with the utmost cruelty. This sentence the House of Commons, in 1641, voted to be "illegal, and against the liberty of the subject, and also bloody, cruel, wicked, barbarous, and tyrannical."

RICHARD CHAMBERS.

A merchant in London of the name of Richard Chambers, having sustained some loss by a confiscation of part of his property by the custom-house officers,

in a moment of passion unfortunately said, in the hearing of some of the privy council, "that the merchants in England were more wrung and screwed than in foreign parts." For this grievous offence he was brought before "the honourable court of Star Chamber," as it was termed, and fined £2000, for which he was imprisoned six years. The fine was by some of the members of court considered to be too small; and, among the worthy personages who were of this opinion, we find the names of Bishops Laud and Neal, who were seldom, indeed, disposed to err on the side of lenity. Chambers appears to have possessed much of the laudable spirit of resistance which had now begun to rise in England. It was part of his sentence to sign a very mean submission, which was accordingly prepared; but when it was brought to him, he absolutely refused; and, with all the terrors of a prison in view, wrote under it, that "he abhorred and detested it as unjust and false, and never till death would acknowledge any part of it." In consequence of his determined opposition to the tyranny of the government, on this and other occasions, Chambers was utterly ruined; and it is painful to find, that though his case was admitted to be hard, and his conduct meritorious, the parliament in the day of retribution overlooked twenty-six years of suffering, and allowed this friendless and resolute champion of the people's rights, to die of poverty and a broken heart at the age of seventy.

WILLIAM PENN.

When the meeting-house of the Quakers in Grace-church Street was taken possession of by a body of

soldiers, August 15, 1670, with the view of hindering them from assembling to worship God in their own way, their celebrated leader, William Penn, went and preached to them in the open air, in the immediate vicinity. The satellites of an arbitrary government were pleased to construe this into a breach of the peace; Penn, and one of his associates of the name of Mead, were arrested, indicted, and tried for the imputed offence at the Old Bailey, on the 1st, 3rd, 4th, and 5th of September following.

Penn and his friend, agreeably to the custom of their sect, entered the court with their hats on; and on one of the officers pulling them off, the lord mayor exclaimed, "Sirrah, who bid you put off their hats? Put on their hats again."

Recorder to the prisoners. "Do you know where you are? Do you know it is the king's court?"

Penn. "I know it to be a court, and I suppose it to be the king's court."

Recorder. "Do you not know that there is respect due to the court? and why do you not pull off your hats?"

Penn. "Because I do not believe that to be any respect."

Recorder. "Well, the court sets forty marks a piece upon your heads, as a fine for your contempt of the court."

Penn. "I desire it may be observed, that we came into court with our hats off (that is, taken off); and if they have been put on since, it was by order of the bench, and therefore not we, but the bench, should be fined."

After the witnesses for the prosecution had been

examined, and the prisoners were called upon for their defence, Penn demanded to know upon what law the indictment was grounded?

Recorder. "Upon the common law."

Penn. "Where is that common law?"

Recorder. "You must not think that I am able to run up so many years, and ever so many adjudged cases, which we call common law, to answer your curiosity."

Penn. "This answer I am sure is very short of my question; for if it be common, it should not be so hard to produce."

Recorder. "Sir, will you plead to your indictment?"

Penn reiterated his demand, to know on what law that indictment was founded.

Recorder. "You are a saucy fellow; speak to the indictment."

After some farther altercation;

Recorder. "You are an impertinent fellow; will you teach the court what law is? It is *lex non scripta*, that which many have studied thirty or forty years to know, and would you have me to tell you in a moment?"

Penn. "Certainly if the common law is so hard to be understood, it is far from being common; but if the Lord Coke, in his Institutes, be of any consideration, he tells us that common law is common right, and that common right is the great charter of privileges. I design no affront to the court, but to be heard in my just plea; and I must plainly tell you, that if you will deny me oyer of the law which you say I have broken, you do at once deny me an acknowledged right; and evidence to the whole world, your resolution to sacrifice the privileges of Englishmen to your sinister and arbitrary designs."

Recorder. "Take him away."

Lord Mayor. "Take him away, take him away ; turn him into the bail dock."

Penn was now dragged into the bail dock.

Mead being then called on, a scene exactly similar to the preceding took place, and he also was thrust into the bail dock.

The recorder charged the jury to bring in a verdict of guilty.

Penn. (With a loud voice from the bail dock.) "I appeal to the jury, who are my judges, and this great assembly whether the proceedings of the court are not most arbitrary, and void of all law. I have not been heard ; neither can you of the jury legally depart the court, before I have been *fully* heard."

Recorder. "Pull the fellow down, pull him down."

The jury were now desired to go up stairs, in order to agree upon a verdict, and the prisoners remained in the bail dock. After an hour and a half's time, eight came down agreed, but four remained above until sent for. The bench used many threats to the four that dissented ; and the recorder addressing himself to one of them of the name of Bushel, said, "Sir, you are the cause of this disturbance, and manifestly shew yourself an abettor of faction ; I shall set a mark upon you, sir."

Alderman Sir J. Robinson, Lieut. of the Tower. "Mr. Bushel, I have known you near this fourteen years ; you have thrust yourself upon this jury."

Alderman Bludworth. "Mr. Bushel, we know what you are."

Lord Mayor. "Sirrah, you are an impudent fellow ; I will put a mark upon you."

The jury being then sent back to consider their verdict, remained for some time ; and on their return, the clerk having asked in the usual manner, "Is William Penn guilty of the matter wherein he stands indicted, or not guilty ?" the foreman replied, "Guilty of speaking in Gracious (Gracechurch) Street."

Court. "Is that all?"

Foreman. "That is all I have in commission."

Recorder. "You had as good say nothing."

The jury were ordered to go and consider their verdict once more. They declared that they had given in their verdict, and could give in no other. They withdrew however after demanding and obtaining pen, ink, and paper ; and returning at the expiration of half an hour, the foreman addressed himself to the clerk of the peace, and presenting the following written decision, said, "Here is our verdict." "We, the jurors hereafter named, do find William Penn to be guilty of speaking or preaching to an assembly met together in Gracious Street on the 14th of August, 1670, and that William Mead is not guilty of the said indictment.

"Foreman Thomas Veer,

Edward Bushel," &c.

Recorder. "Gentlemen, you shall not be dismissed till we have a verdict that the court will accept, and you shall be locked up without meat, drink, fire, or tobacco ; you shall not think thus to abuse the court ; we will have a verdict by the help of God, or you shall starve for it."

Penn. "My jury, who are my judges, ought not to be thus menaced ; I do desire that justice may be done me, and that the arbitrary resolves of the bench may not be made the measure of my jury's verdict."

Recorder. "Stop that prating fellow."

Penn. "The agreement of twelve men is a verdict in law; and such an one being given by the jury, I require the clerk of the peace to record it, as he will answer at his peril. And if the jury bring in another verdict contradictory to this, I affirm they are perjured men in law." Then looking towards them, he emphatically added, "You are Englishmen; mind your privilege, give not away your right."

The court now swore several of its officers to keep the jury all night without meat, drink, fire, &c. and adjourned.

Next morning, which happened to be Sunday, the jury were again brought up; when having persevered in their verdict, much abuse was heaped upon them, particularly on the "factious fellow," Bushel.

Bushel observed that he had acted "conscientiously."

The expression called forth some very pleasant jeers from the court; who still determined not to yield the point, sent back the jury a third time. The jury were however inflexible: a third time they returned with the same verdict.

The recorder at this greatly incensed and perplexed, threatened Bushel with the weight of his vengeance. "While he had any thing to do with the city, he would have an eye upon him." The lord mayor termed him "a pitiful fellow," and added, "I will cut his nose for this."

Penn. "It is intolerable that my jury should be thus menaced."

Lord Mayor. "Stop his mouth, jailor; bring him fetters, and stake him to the ground."

Penn. "Do your pleasure. I matter not your fetters."

The court determined to make one trial more of the firmness of the jury. The foreman remonstrated in vain, that any other verdict "*would be a force on them to save their lives,*" and the jury refused to go out of court, until obliged by the sheriff.

The court sat again next morning at seven o'clock, when the prisoners and the jury were brought up for the fourth time.

The Clerk. "Is William Penn guilty or not guilty?"

Foreman. "Not guilty."

Clerk. "Is William Mead guilty or not guilty?"

Foreman. "Not guilty."

Recorder. "I am sorry, gentlemen, you have followed your own judgments and opinions, rather than the good and wholesome advice that was given you. *God keep my life out of your hands!* but for this the court fines you forty marks a man, and commands imprisonment till paid."

Both jury and prisoners were now forced together into the bail dock, for non-payment of their fines, whence they were carried to Newgate.

Mr. Bushel immediately sued out a writ of Habeas Corpus; and the cause having come to be heard, at length, before the twelve judges, they decided that the fining and imprisonment was contrary to law.

The jury were accordingly discharged; on which they respectively brought actions against the Lord Mayor, Aldermen, and Recorder, and obtained exemplary verdicts.

LORD CHANCELLOR SHAFTESBURY.

Lord Shaftesbury, who had already filled up some great offices, was by Charles II. appointed to the dignified and illustrious one of Lord Chancellor, though he had never studied the law, and had never been called to the bar. On that account, he used to preside in the Court of Chancery in a brown, instead of a black silk gown. Dryden himself praises the conduct of his lordship, while he filled this great office, in the following lines :

“ Yet fame deserved, no enemy can grudge,
The statesman we abhor, but praise the judge.
In Israel's courts ne'er sat an Abethdin
With more discerning eyes, or hands more clean ;
Unbrib'd, unsought, the wretched to redress,
Swift of despatch, and easy of access !”

Charles II. used to say of the same nobleman, that he possessed in him a chancellor, who had more law than all his judges, and more divinity than all his bishops.

He is said to have been made chancellor, expressly on purpose to affix the great seal to the noted declaration, issued by Charles, in favour of the dissenters and Popish recusants ; but which the monarch was afterwards obliged by the party, under whose domination he was, to cancel. During a debate in the House of Lords, on the subject of this declaration, Clifford, who was treasurer to the Duke of York, attacked it violently, while Shaftesbury of course spoke strongly in his favour. The Duke of York is

reported to have said to Charles on the occasion, "Brother, what a rogue you have of a Lord Chancellor." To which Charles replied, "Brother, what a fool you have of a Lord Treasurer."

JUDGE JEFFRIES.

A singular story is told of this truly infamous judge, which shews that when free from state influence, he was not without a sense of the natural and civil rights of men, and an inclination to protect them. The mayor, aldermen, and justices of Bristol, had been in the practice of condemning criminals to be transported to the American plantations, and then selling them by way of trade; and finding the commodity turn to a good account, they contrived a method to make it more plentiful. When any petty rogue or pilferer was brought before them in a judicial capacity, they were sure to threaten him stoutly with hanging; and there was always some busy officer in attendance, who would advise the ignorant intimidated creature to pray for transportation, as the only way of escaping the gallows---an advice which was but too generally followed. Without any more ado, sentence of transportation was then made out; each alderman had and sold his man in rotation; and not unfrequently disputes arose about the order of preference in this nefarious traffic.

For many years this abominable prostitution of the judicial functions had gone on unnoticed, when it came to the knowledge of Chief Justice Jeffries, as he was on his sanguinary progress through the West, against the adherents of Monmouth. Finding upon

enquiry, that the mayor was the leading agent in the practice, he made him descend from the bench where he was sitting, and stand at the bar in his scarlet robes, and plead with the rest of his brethren as common criminals. He then took security from them to answer informations ; but the general amnesty, after the revolution, put a stop to the proceedings, and left the magistracy of Bristol to the secure enjoyment of their iniquitous gains.

The venerable author of *Lord Guildford's Life*, who narrates the preceding anecdote, tells us also, that when Jeffries was in temper, and matters between subject and subject came before him, no one became a seat of justice better. He talked fluently and with spirit ; but his weakness was, that he could not reprove without scolding. He called it *giving a lick with the rough side of his tongue*. Jeffries took great pleasure in mortifying fraudulent attornies. A scrivener of Wapping having a cause before him, one of the opponent's counsel said that he was a strange fellow---that he sometimes went to church, sometimes to conventicles ; and that none could tell what to make of him, though it was rather thought that he was a *trimmer*. At this, the chief justice was instantly fired. "*A trimmer!*" said he ; " I have heard much of that monster, but never saw one ; come forth Mr. Trimmer, and let me see your shape." And he treated the poor fellow of a scrivener so roughly, that when he came out of the hall, he declared that he would not undergo the terrors of that man's face again to save his life, and that while he lived, he should never forget the dreadful impression it had made on him.

How truly the frightened scrivener spoke, will be

seen by the sequel. When the Prince of Orange came over, and all was in confusion, Jeffries being justly obnoxious to the people, prepared to go beyond sea. He disguised himself in the dress of a sailor, and acting up to the assumed character, was drinking a pot of beer in a cellar, when the Wapping scrivener chanced to enter, in quest of some of his clients. His eye instantly caught the never-to-be forgotten visage of the chancellor ; he gave a start of surprise, but said nothing. Jeffries seeing himself observed, feigned a cough, and turned away his head ; but Mr. Trimmer immediately went out and gave notice that he had discovered this most hated of men. A crowd of people rushed in to the cellar, seized him, and carried him before the lord mayor, who sent him under a strong guard to the Lords of the Council, by whom he was committed to the Tower, where he ended his days, April 18, 1689.

HANGING AN ALDERMAN.

During the disturbances on the Exclusion Bill of the Duke of York, it was thought necessary by the nefarious ministry of Charles the Second, to hang an Alderman of London, to intimidate the rest of the citizens from continuing their spirited and honourable opposition to the measures of that corrupt court. Sir Robert Clayton was the person first intended to have been thus scandalously sacrificed. The Chancellor Jeffries, however, who by the interest of Sir Robert had been appointed Recorder of London, prevailed upon the administration to spare him, and to take Mr. Alderman Cornish in his stead ; who accordingly

suffered, to the disgrace of all who were concerned in this infamous perversion of justice.

SCANDALIZING A PRINCESS.

When the news arrived in England, that Prague was taken from the Palsgrave of Bohemia, who had married the Princess Elizabeth, Mr. Edward Floyde, a Roman Catholic gentleman who happened to be a prisoner at the time in the Fleet, was heard to remark, "that Goodman and Goody Palsgrave were now turned out of doors," and to make several other irreverent observations of the same kind.

The expressions were reported abroad, and so sinful were they deemed, that both Houses of Parliament thought it necessary to take them under their serious consideration. Of the proceedings in the Upper House, the only record that remains is the sentence; but those of the Commons have been preserved for the edification of posterity. Witnesses were examined who proved the words, and that Floyde's countenance was in a very indecent degree joyful when he pronounced them. It was farther proved that he was "a pernicious papist," and a "wicked fellow;" so that, in short, the poor gentleman had nothing to say for himself against the charge of having joked at the misfortunes of such high folks as "Goodman and Goody Palsgrave." The crime being thus established, a very strange debate arose as to the punishment to be inflicted on this most heinous offender.

Sir Robert Phillips was of opinion, that "since his offence had been without limitation, his punish-

ment might likewise be without proportion. He would have him ride with his face to a horse's tail from Westminster to the Tower, with a paper on his hat, wherein should be written, 'A Popish wretch that hath maliciously scandalized his majesty's children,' and that at the Tower he should be lodged in little ease, with as much pain as he shall be able to endure without loss or danger of life."

Sir Francis Seymour was for standing more "on the *priveledge* and power of the house. He would have him go from thence to the Tower at a cart's tail with his doublet off, his beads about his neck, and that he should have as many lashes as he hath beads."

Sir Edward Giles thought that besides being whipped, he should stand in the pillory.

Sir Francis Darcy "would have a hole burnt through his tongue, since that was the member that offended."

Sir Jeremy Horsey thought the tongue should be cut out altogether.

Sir George Goring agreed with none of the merciful gentlemen who had preceded him. "He would have his nose, ears, and tongue cut off; to be whipped at as many stages as he hath beads, and to ride to every stage with his face to the horse's tail, and the tail in his hand, and at every stage to swallow a bead; and thus to be whipped to the Tower, and there *to be hanged!*"

Sir Joseph Jephson "would have moved, that a committee might be appointed to consider of the heaviest punishments that had been spoken of; but *because he perceived the house inclined to mercy!* he would have him whipped more than twice as far," &c.

The debate was adjourned without any thing being definitively agreed on; and before it was resumed, the House of Lords being resolved to be something more than sharers in the honour of punishing "so vile and undutiful a subject," objected to the power of punishment assumed by the Commons, as an invasion of their *priveledges*. The Commons, after long and violent debates, were at last obliged, after inserting a protest in their journals, to give up the point; and Floyd was now left to the Upper House, who equally "inclined to mercy," pronounced the following sentence: "1. That the said Edward Floyd shall be incapable to bear arms as a gentleman, and that he shall be ever held an infamous person, and his testimony not to be taken in any court or cause. 2. That on Monday next, in the morning, he shall be brought to Westminster Hall, and there to be set on horseback, with his face to the horse's tail, holding the tail in his hand, with papers on his head and breast declaring his offence, and so to ride to the pillory in Cheapside, and there to stand two hours on the pillory, and there to be branded with a letter K in his forehead. 3. To be whipped at a cart's tail, on the first day of the next term, from the Fleet to Westminster Hall, with papers on his head declaring his offence, and then to stand on the pillory there two hours. 4. That he shall be fined to the king in £5000. 5. That he shall be imprisoned in Newgate *during his life*."

This inhuman sentence was carried into execution, with the exception of the third branch of it, which was suspended on a motion of the Prince of Wales, (Charles I.) till the pleasure of the house should be farther known. It is worthy of notice too, that the

only opposition that was made to these proceedings, was by the king, who sent a message to the House of Commons, in which, after complimenting them for their great loyalty, he remarked with characteristic shrewdness, that "out of too great a zeal comes heresy;" and added, that the lawyers who were present at the debate were inexcusable.

CHIEF JUSTICE HOLT.

In the time of this eminent judge a riot happened in London, arising out of a wicked practice then very common, of kidnapping young persons of both sexes, and sending them to the plantations. Information having gone abroad that there was a house in Holborn which served as a lock-up place for the persons so ensnared, till an opportunity could be found of shipping them off, the enraged populace assembled in great numbers, and were going to pull it down. Notice of the tumult being sent to Whitehall, a party of the guards were commanded to march to the spot; but an officer was first sent to the lord chief justice, to acquaint him with the state of matters, and to request that he would send some of his officers along with the soldiers, in order to give a countenance to their interference.

The officer having delivered his message, Lord Chief Justice Holt said to him, "Suppose the populace should not disperse at your appearance, what are you to do then?" "Sir," answered the officer, "we have orders to fire upon them." "Have you, sir?" replied his lordship; "then take notice of what I say; if there be one man killed, and you are tried

before me, I will take care that you, and every soldier of your party, shall be hanged. "Sir," continued he, "go back to those who sent you, and acquaint them that no officer of mine shall attend soldiers; and let them know at the same time, that the laws of this kingdom are not to be executed by the sword; these matters belong to the civil power, and you have nothing to do with them."

The lord chief justice then went himself in person, accompanied by his tipstiffs and a few constables, to the scene of the disturbance; and by his reasonable expostulations with the mob, succeeded without the least violence in making them all disperse quietly.

The integrity and uprightness of Holt as a judge, are celebrated in the *Tatler*, No. 14, under the excellent character of *Verus the Magistrate*.

PRIVILEGE OF PARLIAMENT.

In the year 1704, several persons who claimed to be freemen of the Borough of Aylesbury were refused the privilege of voting at an election for member of parliament, and brought an action against the returning officer for the penalties which the law imposes in such cases. The House of Commons conceiving this appeal to the courts to be an evasion of their privileges, passed an order, declaring it to be penal in either judge, or counsel, or attorney, to assist at the trial. The lord chief justice (Holt) and several lawyers were, notwithstanding, bold enough to disregard this order, and proceeded with the action in due course. The house, extremely offended at this contempt of their order, sent the sergeant at arms to command the judge

to appear before them ; but this resolute administrator of the laws refused to stir from his seat. On this the Commons sent a second message by their speaker, attended by a great many of their members. After the speaker had delivered his message, his lordship replied to him in the following memorable words : “ Go back to your chair, Mr. Speaker, within these five minutes, or you may depend on it I’ll send you to Newgate. You speak of your authority ! But I tell you I sit here as an interpreter of the laws, and as a distributor of justice ; and were the whole House of Commons in your belly, I would not stir one foot.” The speaker was prudent enough to withdraw, and the house with equal prudence let the matter drop.

RETRIBUTIVE JUSTICE.

The following curious facts illustrative of retributive justice have been collected by De Foe. The era of the circumstances is the reign of Charles the First and the troubles that followed it. The extraordinary coincidence of the dates of some of the events, seems to designate the particular crime which provoked the punishment of its perpetrators.

The English parliament called in the Scots to invade their king ; and were invaded themselves by *the same* Scots in defence of the king, whose case, and the designs of the parliament, the Scots had mistaken.

The parliament which raised an army to depose Charles, was deposed by the army it had raised. This army broke three parliaments, but was at length broken by a free parliament.

Sir John Hotham, who repulsed his majesty, and refused him admittance into Hull before the war, was seized by the parliament for which he had done it, on the same 10th day of August two years that he spilled the first blood in that war. His son, Captain Hotham, was executed the 1st of January, which was the day on which he had assisted Sir Thomas Fairfax in the first skirmish with the king's forces on Bramham Moor.

On the 6th day of August, 1641, the parliament voted to raise an army against the king; the same day and month in 1648, the parliament was turned out of doors by that very same army.

The Earl of Holland deserted the king who had made him general of horse, and went over to the parliament. The king sent to him for his assistance on the 11th of June, 1641, which the earl refused; and on the 11th of July, 1648, seven years after, he was taken by the parliament at St. Neots, and beheaded on the 9th of March, 1649, O. S.; on which day in the year 1641, he had carried the declaration of the Commons, which was filled with reproaches, to the king.

The parliament voted to approve of Sir John Hotham's resistance to the king at Hull, on the 28th of April, 1641; the day on which in the year 1660, they first debated in the house the restoration of Charles the Second.

Thus much for the days of Charles; nor are testimonies of similar occurrences, apparently connected by the same singularity of time, wanting in the earlier reigns.

Cranmer was burnt at Oxford the same day and

month that he gave Henry the Eighth the advice to divorce his Queen Catherine.

Queen Elizabeth died the same day and month that she resolved, in her privy council, to behead the Queen of Scots ; and her successor, James, died the same day and month that he published his book against Bellarmine.

CLAMEUR DE HARO.

In the time of Rollo of Normandy, a custom prevailed in that country, that in all cases of invasion of property, or personal violence, requiring immediate remedy, the party aggrieved called aloud on the name of the duke three several times, and the aggressor was instantly, at his peril, to forbear attempting any thing farther. The words of this invocation form a phrase still common in Jersey. *Ha Ro à l'aide, mon prince!* *Aa*, or *Ha*, is the exclamation of a person suffering ; *Ro*, is the Duke Rollo's name abbreviated. Such is that famous *Clameur de Haro*, which subsisted in practice long after Rollo was no more, and is so much praised by all who have written on the Norman laws.

A memorable example of the power of this appeal was exhibited about one hundred and seventy years after Rollo's death, at the funeral of William the Conqueror.

It seems that in order to build the great abbey of St. Stephen at Caen, where he desired to be interred after his decease, the conqueror had caused several houses to be pulled down to enlarge the area, and among them one whose owner had received no satis-

faction for his loss. The son of this person (others say the person himself,) observing the grave of William to be dug on that very spot of ground which had been the site of his father's house, went boldly into the midst of the funeral assemblage, and forbade them, in the name of Rollo, to bury the body there.

Paulus Æmylius, who relates the story, says that he addressed himself to the company in these words :

“He who oppressed kingdoms by his arms has been my oppressor also, and has kept me under a continual fear of death. Since I have outlived him who injured me, I mean not to acquit him now he is dead. The ground wherein you are going to lay this man is mine; and I affirm, that none may in justice, bury their dead in ground which belongs to another. If, after he is gone, force and violence are still used to detain my right from me, I APPEAL TO ROLLO, the founder and father of our nation, who though dead, lives in his laws. I take refuge in those laws, owning no authority above them.”

This bold speech, uttered in presence of the departed king's own son, Prince Henry, afterwards King Henry I. wrought its effect; the *Ha---Ro* was respected; the man had compensation made him for his wrongs, and all opposition ceasing, the dead king was laid in his grave.

In the Life of William the Conqueror, in the Harleian collection, the incident is thus related :

“When the bishop had finished his sermon, one Anselm Fitz-Arthur stood up among the multitude, and with a high voice said, ‘This ground whereupon

we stand, was some time the floor of my father's house, which that man, of whom you have spoken, when he was Duke of Normandy, took violently from my father, and afterwards founded thereon this religious building. This injustice he did not by ignorance or oversight, nor by any necessity of state; but to content his own covetous desire: now therefore I do challenge this ground as my right; and do here charge you, as you will answer it before the fearful face of Almighty God, that the body of the spoiler be not covered with the earth of my inheritance.'"

When the bishops and noblemen that were present heard this, and understood by the testimony of many that it was true, they agreed to give him three pounds presently for the ground that was broken for the place of burial; and for the residue which was claimed, they undertook he should be fully satisfied. This promise was performed in a short time after by Henry, the king's son, who only (of his sons) was present at the funeral; at whose appointment Fitz-Arthur received for the price of the same ground, one hundred pounds."

OLD SCOTCH LAW.

At the restoration, the Scotch courts of law became highly tyrannical; and those which possessed a criminal jurisdiction, displayed what indeed was, in former times, no novelty in that country, a very abominable spirit of injustice.

Among the expedients which the lawyers for the crown devised to degrade jurymen to become sense-

less instruments of tyranny, there was one which vested the power of convicting in the judges, when the jury doubted not only of the *criminality of the fact*, but even of the *fact itself*. For this purpose they drew up their indictments very circumstantially, not only stating the crime, but also the minute facts, trifling or important, from which they inferred the prisoner's guilt. When it was suspected that a jury would scruple to find a crime in general proved, they were required to return a *special verdict*. Accordingly, they were often weak enough to return a verdict, finding proved a long chain of circumstances specified in the indictment, leaving it entirely in the breast of the judges to determine whether these circumstances did establish the fact charged.

Thus, in the trial of Robert Carmichael, school-master, (14th September, 1699) for the murder of one of his scholars, it was proved, that the boy was in perfect health at two in the afternoon, when he went to school, and that before three he was carried out of it dead. It was found by the jury, that the prisoner did three times successively make the deceased be held up, and severely lashed him on the back and hips, "and in rage and fury, did drag him from his desk, and beat him with his hand upon the head and back with heavy and severe strokes, and after he was out of his hands he immediately died." That after the boy's death, the side of his head was swelled, and there were livid marks on it, and the marks of many stripes on the back and thighs. Although these circumstances, as well as a rattling noise in his breast upon the third beating, and a good quantity of blood being found under his body after

death which had issued from the stripes on his back, afford complete conviction (the body was not opened) that he died of the beating; yet the lenity of the court in this instance seemed to increase with the barbarity of the criminal, and they only sentenced him *to receive seven stripes, and to be banished Scotland for life.*

SECRET EXAMINATION OF WITNESSES.

Voltaire, in his Commentary on Beccaria's Treatise on Crimes and Punishments, speaks thus of the French practice, with regard to the examination of witnesses in secret: "With us every thing is done secretly; a single judge, with his clerk, hears every witness, the one after the other. This practice, established by Francis I. was authorised by the commissioners who prepared the ordinance of Louis XIV. in 1670. A mistake alone was the cause of it." Voltaire then explains from Bernier, that a passage in the civil law had been misunderstood, enjoining witnesses, "*intrare judicii secretum*," which only signifies that they should enter the judge's private chamber, but does not direct that they should be secretly examined.

BANISHMENT.

In the Island of Seriphus, no man was of old ever put to death, however great the crime might be which he committed. In the opinion of the people, the severest punishment which could possibly be inflicted, was to banish them for ever from

their native soil; and such accordingly was their highest penal enactment.

The love of country is generally stronger among islanders, than with the inhabitants of continental countries; and hence the opposite policy of the Emperor Claudius, who made it one of his heaviest punishments to prohibit persons from stirring beyond the compass of three miles from the City of Rome.

Dr. Moore mentions an instance of a young and noble Venetian, who was banished to the Isle of Candia, and who, in the hopes of seeing again the walls of his native country, of embracing again his friends and family, committed a new crime, which he knew to be capital, in order that he might be recalled to Venice, to take his trial, and die on the scaffold.

JUDICIAL INTEGRITY.

A country gentleman once sent a present of a buck to Judge Hales, before whom he had a cause coming on for trial. The cause being called, and the judge taking notice of the name, asked "If he was not the person that had presented him with a buck?" Finding that he was the same, the judge told him "He could not suffer the trial to go on till he had paid him for his buck." The gentleman answered, "That he never sold his venison, and that he had done no more to his lordship than what he had always done to every judge who came that circuit." Several gentlemen on the bench bore testimony to the truth of this statement; but nothing would induce the judge to give way; he persisted in refusing to

allow the trial to proceed till he had paid for the venison. The gentleman on this, somewhat indignant, withdrew the record, saying, "he would not try his cause before a judge who suspected him to be guilty of bribery by a customary civility." A noble contest! between judicial integrity on one side, and honourable hospitality on the other!--a contest eminently characteristic of the English judge and English gentleman.

PETER THE GREAT.

There was at Moscow a very learned counsellor in the law, whose reputation reaching the ears of Peter the Great, he raised him to the rank of Chief Judge, or Governor of the Province of Novogorod. On appointing him to this office, his majesty declared to him in the most formal manner, that he had as much confidence in his integrity as in his skill, in settling disputes impartially; and that he trusted he would continue to distribute justice in a disinterested manner throughout the extent of his jurisdiction.

The new judge faithfully discharged his duties for some time; but after a few years had elapsed, it was publicly reported that he received presents; that he perverted the laws, and committed flagrant acts of injustice. Peter, who flattered himself that he had not been deceived in his choice, considered it at first a calumny; but on making the necessary enquiry, found that the upright judge he had thought him, was no longer so, but that, corrupted by presents, he had more than once made a trade of justice.

The monarch determined on questioning the judge,

who confessed that he had suffered himself to be seduced by bribes in several affairs submitted to his judgment, and that he had pronounced sentences contrary to law. On being reproached by the king, he pleaded the lowness of his salary, which would not enable him to provide any thing for his wife and children, or permit him to live in a condition suitable to the rank to which he had been raised. "How much then," said the Czar, "would it require to put you above the necessity of receiving presents, and making a trade of justice?" "Twice the income I enjoy at present," answered the judge. "Will that be sufficient," said the Czar, "to enable you to discharge the duties of your office with fidelity?" The judge declared it would, and pledged himself to future good conduct. "Well then," said the Czar, "I pardon you for this time; you shall enjoy double your present salary, and I will add to it half as much more, on condition that you keep your word."

The governor transported with joy, fell at the feet of his sovereign to return him thanks. His conduct for more than a year was conformable to the wishes of the Czar, and he administered justice faithfully; but fancying at last that the monarch had long ceased from watching his conduct, he began to take presents again, and to commit acts of oppression and injustice. The Czar being informed of it, the judge was tried and found guilty; a message from the sovereign was sent to him, intimating that as he had not kept his word, the prince was under the necessity of keeping his; and the corrupt judge was accordingly hanged.

RESPONSIBILITY OF JUDGES IN HOLLAND.

A servant girl was erroneously convicted at Middleburg of robbing her master; the property was found locked up in her box; her mistress had placed it there. She was flogged, brand marked, and confined to hard labour in the rasp house. Whilst she was suffering her sentence, the guilt of her mistress was discovered. The mistress was prosecuted, condemned to the severest scourging, a double brand, and hard labour for life. The sentence was reversed, and a heavy fine inflicted on the tribunal, and given to the innocent sufferer as an indemnification.

FREDERICK THE GREAT.

When Frederick the Second of Prussia built the palace of Sans Souci, there happened to be a mill, which greatly limited him in the execution of his plan; and he desired to know how much the miller would take for it. The miller replied, that for a long series of years his family had possessed the mill, which had passed from father to son, and that he would not sell it. The king used solicitations, offered to build him a mill in a better place, and to pay him besides any sum which he might demand; but the obstinate miller still persisted in his determination to preserve the inheritance of his ancestors. The king irritated at his resistance, sent for him, and said in an angry tone, "Why do you refuse to sell your mill, notwithstanding all the advantages which I have offered you?" The miller repeated all his reasons.

“Do you know,” continued the king, “that I could take it without giving you a farthing?” “Yes,” replied the miller, “if it were not for the chamber of justice at Berlin.” The king was extremely flattered with this answer, which shewed that he was incapable of an act of injustice. He dismissed the miller without further entreaty, and changed the plan of his gardens.

ARNOLD THE MILLER.

A miller of the name of John Michael Arnold, bought the lease of a mill belonging to the estate of Count Schmettau of Pommerzig, situated in the New Marche of Brandenburg, near the city of Custrin. This mill at the time when Arnold bought the lease of it, was plentifully supplied with water, by a rivulet which empties itself into the river Warta. During six years, Arnold made several improvements in the mill, and paid the rent regularly; but at the end of that period, the proprietor resolving to enlarge a fish pond contiguous to his seat, caused a canal to be cut from the rivulet, by which means the stream was lessened, and the quantity of water so much diminished, that the mill could only work during two or three weeks in spring, and about as many in autumn.

The miller remonstrated, but in vain; and when he sought redress in a court of judicature at Custrin, his lord being a man of fortune and influence, found means to frustrate his endeavours to obtain justice. Under these circumstances the miller could no longer procure his livelihood, and pay his rent. The miller's lease, utensils, goods, and chattels, were seized to pay the

arrears of rent, and the expences of a most iniquitous law suit commenced by the proprietor, and thus poor Arnold and his family were reduced to want and wretchedness.

A flagrant injustice like this, could not pass unnoticed by some friends to humanity, who well knew the benevolent and equitable intentions of their sovereign, Frederick the Great. They advised and assisted the miller to lay his case before the king; who struck with the simplicity of the narrative, and the injustice that had apparently been committed, resolved to enquire minutely into the affair, and if the miller's assertions were true, punish in an exemplary manner the authors and promoters of such an unjust sentence.

The most rigid enquiries were immediately instituted, and his majesty was soon convinced that the sentence against the miller was an act of the most singular injustice and oppression. He then ordered his High Chancellor, Baron Furst, and the three counsellors who had signed the said sentence, into his cabinet, and on their arrival he put the following questions to them.

1.---When a lord takes from a peasant who rents a piece of ground under him, his waggon, horse, plough, and other utensils, by which he earns his living, and is thereby prevented from paying his rent, can a sentence of distress, in justice, be pronounced against that peasant?

They all answered in the negative.

2.---Can a like sentence be pronounced upon a miller for non-payment of rent for a mill, after the water which used to turn his mill is wilfully taken from him, by the proprietor of his mill?

They also answered this question in the negative.

“Then,” said the king, “you have yourselves acknowledged the injustice you have committed,” and he immediately stated the case of the miller, and ordered the sentence, with their respective signatures, to be laid before him. The king ordered his private secretary to read the resolutions which he had dictated to him, and signed ; in which he declared the sentence against the miller, to be an act of singular injustice, and one which he was determined to punish. “For,” said his majesty, “the judges are to consider, that the meanest peasant, nay, even the beggar, is a man as well as the king, and consequently equally entitled to impartial justice ; as in the presence of justice all are equal, whether it be a prince who brings a complaint against a peasant, or a peasant who prefers one against a prince ; in similar cases justice should act uniformly, without any respect to rank or person. This ought to be an universal rule for the conduct of judges ; for an unjust magistrate or a court of law, guilty of wrong, and subservient to oppression, are more dangerous than a band of robbers, against whom any man may be on his guard ; but bad men entrusted with authority, who under the cloak of justice practise their iniquities, are not so easily guarded against ; they are the worst of villains, and deserve double punishment.”

The king then dismissed his chancellor, and commanded the three counsellors who with him had signed the iniquitous sentence to be committed. The president, judges, and counsellors at Custrin, were also arrested, and a commission appointed to proceed against them according to law. And in consideration of the injustice, the king presented the miller, Arnold, with the sum of fifteen hundred rix dollars. He also

ordered that a sum equal to that produced by the sale of the miller's effects, be stopped, and paid to him, from the salaries due to the respective judges, &c. who had any share in the unjust sentence ; and moreover condemned the proprietor of the mill to reimburse to the miller, all the rent he had received from the time when he first opened the canal.

EMPEROR OF CHINA.

The Viceroy of one of the Provinces of China, very remote from the Imperial city, had wrongfully confiscated the estate of an honest merchant, and reduced his family to extreme misery. The poor man having found means to travel as far as Peking, obtained a letter from the emperor to the viceroy, commanding him to restore the goods which he had taken so illegally ; but far from obeying this command, the viceroy threw the bearer of it into prison. Here he remained for some time, but making his escape, he went once more to the capital, where he threw himself at the emperor's feet, who treated him with much humanity, and gave orders that he should have another letter. The merchant wept at this resolution, and represented how ineffectual the first had proved, and the reason he had to fear that the second would be as little regarded. The emperor, who had been detained by this complaint, as he was going in great haste to dine with one of his favourites, felt a little discomposed, and answered with some emotion, " I can do no more than send my commands ; and if the viceroy refuses to obey them, put thy foot on his neck." " I implore your majesty's compassion," replied the

merchant, holding fast the emperor's robe, "his power is too mighty for my weakness, and your justice prescribes a remedy which your wisdom has never examined."

The emperor had by this time recovered himself, and raising the merchant from the ground, he said, "You are in the right; to complain of the viceroy was your part, but it is mine to see him punished. I will appoint commissioners to go back with you, and make search into the ground of his proceeding, with power if they find him guilty, to deliver him into your hand, and leave you viceroy in his stead; for since you have taught me how to govern, you must be able to govern for me."

PATRIOTIC DYING SPEECH.

On the 3rd of June, 1734, one Michael Carmody, a journeyman weaver, was executed in the County of Cork, in Ireland. His branch of business had long been in a very declining way, owing to the wearing of cottons, which was highly destructive to the woollen manufacture, and in general injurious to the kingdom. The criminal was dressed in cotton; and not only the hangman, but the gallows, was decorated too. When Carmody was brought to the place of execution, his whole thoughts were turned upon the distresses of his country; and instead of making use of his last moments with the priest, the poor fellow addressed the surrounding multitude in the following extraordinary oration: "Give ear, O good people, to the words of a dying sinner! I confess I have been guilty

of many crimes that necessity obliged me to commit ; which starving condition I was in, I am well assured, was occasioned by the scarcity of money that has proceeded from the great discouragement of our woollen manufactures.

“ Therefore, good Christians, consider, that if you go on to suppress your own goods by wearing such cottons as I am now clothed in, you will bring your country into misery, which will consequently swarm with such unhappy malefactors as your present object is, and the blood of every miserable felon that will hang, after this warning from the gallows, will lie at your doors.

“ And if you have any regard for the prayers of an expiring mortal, I beg you will not buy of the hangman the cotton garments that now adorn the gallows, because I can’t rest quiet in my grave if I *should see* the very things worn that brought me to misery, thievery, and this untimely end ; all which I pray of the gentry to hinder their children and servants, for their own characters sakes, though they have no tenderness for their country, because none will hereafter wear cottons, but oyster-women, criminals, hucksters, and common hangmen.”

Perhaps sentiments of a more patriotic nature could not have been uttered by a Sydney or a Russell, than what were expressed in the coarse unstudied harangue of this unfortunate malefactor.

POWER OF CONSCIENCE.

Dr. Fordyce, in his *Dialogues on Education*, relates the following striking incident, which he says occurred in a neighbouring state. A jeweller, a man of good character and considerable wealth, having occasion to leave home on business at some distance, took with him a servant. He had with him some of his best jewels and a large sum of money. This was known to the servant, who, urged by cupidity, murdered his master on the road, rifled him of his jewels and money, and suspending a large stone round his neck, threw him into the nearest canal.

With the booty he had thus gained, the servant set off to a distant part of the country, where he had reason to believe that neither he nor his master were known. There he began to trade ; at first in a very humble way, that his obscurity might screen him from observation ; and in the course of many years, seemed to rise by the natural progress of business into wealth and consideration ; so that his good fortune appeared at once the effect and reward of industry and virtue. Of these he counterfeited the appearance so well, that he grew into great credit, married into a good family, and was admitted into a share of the government of the town. He rose from one post to another, till at length he was chosen chief magistrate. In this office he maintained a fair character, and continued to fill it with no small applause, both as governor and a judge ; until one day as he presided on the bench with some of his brethren, a criminal was brought before him who was accused of murdering his master.

The evidence came out fully; the jury brought in their verdict that the prisoner was guilty, and the whole assembly waited the sentence of the president of the court with great suspense.

The president appeared to be in unusual disorder and agitation of mind; his colour changed often; at length he arose from his seat, and descending from the bench, placed himself close to the unfortunate man at the bar, to the no small astonishment of all present. "You see before you," said he, addressing himself to those who had sat on the bench with him, "a striking instance of the just awards of heaven, which this day, after thirty years concealment, presents to you a greater criminal than the man just now found guilty." He then made a full confession of his guilt, and of all its aggravations. "Nor can I feel," continued he, "any relief from the agonies of an awakened conscience, but by requiring that justice be forthwith done against me in the most public and solemn manner."

We may easily suppose the amazement of all the assembly, and especially of his fellow judges. However, they proceeded upon his confession to pass sentence upon him, and he died with all the symptoms of a penitent mind.

LONG SUIT.

The longest suit on record in England, is one which existed between the heirs of Sir Thomas Talbot, Viscount Lisle, and the heirs of a Lord Berkeley, respecting some property in the county of Gloucester, not far from Wotton-under-Edge. It began at the end

of the reign of Edward the Fourth, and was depending until the beginning of that of James the First, when it was finally compounded, being a period of not less than one hundred and twenty years!!!

EXTRAORDINARY PUNISHMENT.

The most extraordinary punishment which is perhaps on record, is to be found in Morryson's Account of Germany. "Near Lindau I did see a malefactor hanging in iron chains on the gallows, with a mastive dogge hanging on each side by the heels, as being nearly starved, they might eat the flesh of the malefactor before himself died by famine; and at Frankforde I did see the like punishment of a Jew."

The only thing which may serve to lessen our surprise at this shocking refinement in cruelty, is the reflection that it happened in a country so pre-eminent for the horrid nature of its punishments, that no one can be prevailed upon to accept the office of executioner, but he who by being the son of a hangman, is obliged to be trained up, and take upon himself the necessary employment.

BALANCE OF GOOD AND ILL.

The Persians held of old this very charitable maxim, that to be good, it was not necessary never to do amiss, but to do for the most part that which was right. When a person accordingly was accused of any breach of the laws, and even clearly proved to be guilty, they did not immediately condemn him to be punished, but

proceeded to make a scrupulous enquiry into the whole course of his life, in order to see whether the good or evil actions in it predominated; if the good weighed heaviest in the scale, he was acquitted; and it was only if otherwise that he was condemned.

THE SLEEP OF INNOCENCE.

Titus Cælius was found murdered in his bed, and the only persons on whom suspicion of the crime rested, were two of his own sons, who slept in the same room. The brothers were arraigned for the crime; but it appearing from the evidence, that when the mangled body was first discovered by some persons stepping into the chamber, both the sons were seen fast asleep on the bed adjoining, the judges ordered their acquittal. It was justly considered, that nature could not permit a man to sleep over the bleeding remains of a newly murdered father.

FAVOUR TO STRANGERS.

One of the strongest instances of favour to a stranger, in obtaining his right by action, appears to have been shewn to Fynes Morryson, at Lindau, in Germany; where he not only obtained immediate satisfaction from the judge, but his advocate would not take any fee from him, as being a foreigner.

Tavernier mentions, that one of his fellow travellers happening to die in a Persian town, a seal was immediately put upon the effects of the deceased, which on his return a year afterwards had not been removed.

CORRUPT INFLUENCE.

The practice of privately influencing judges concerning causes before them, prevailed even in remote times of supposed simplicity. Hesiod, who had a troublesome law-suit with his brother Perseus, inveighs strongly against it; he calls the Bæotian judges, *devourers of presents*.

In England it was anciently the established usage to pay fines for delaying proceedings, even affecting the defendant's life; at other times they were paid to expedite process, and to obtain right; and in some cases the parties litigant, offered part of what they might recover, to the crown, as a bribe for its favour. Madox mentions many instances of fines for "the king's favour," and particularly of the Dean of London's paying twenty marks to the king, that he might assist him against the bishop in a law-suit.

The county of Norfolk (always represented as a litigious county, in so much, that the number of attorneys allowed to practise in it, was limited by a statute of Henry VI., to eight) paid an annual composition at the Exchequer, that it might be fairly dealt with.

Daniel asserts, that the influence of Alice Pierce was so great, that she used to sit on the bench with the judges in Westminster Hall, when she interested herself in a cause. She was forbidden by a writ from Edward III. from interfering, under pain of banishment.

Charles II. in appeals to the House of Lords, used to go about whilst the cause was hearing, and solicit particular lords for appellant or respondent. The practice had indeed increased to a most shameful

extent, just previous to the revolution ; and all historians agree, that nothing gave deeper sensations of disgust, than the corrupt decisions which by such means were procured from the base and timid men who filled the seat of judgment. .

Whitelocke in his memoirs, p. 13, says, " My father did often and highly complain against this way of sending to the judges for their opinions before hand ; and said, that if Bishop Laud went on in this way, he would kindle a flame in the nation. How truly he predicted need not be told.

Dr. Donne, in his fifth satire, has the following witty allusion to the practice :

" Judges are gods ; and he who made them so,
Meant not men should be forc'd to them to go,
By means of *angels*."

The satirist here plays on the double sense of the word "*angels*," signifying both a coin and a messenger.

In Scotland so shamelessly did they go about the work of corruption of old, that there is actually extant an order of the Court of Session, or Act of Sederunt, as they call it, which appoints the particular hours of the day at which the judges may be solicited at their own houses !

Amidst the systematic corruption which we find prevailed before the revolution, some solitary instances of an opposite character are however to be met with, which would have done honour to the purest periods of our judicial history.

A nobleman of the first distinction went once to the chamber of Sir Matthew Hale, when Chief Baron of the Exchequer, and told him, " that having a suit

in law to be tried before him, he had come to acquaint his lordship with it, that he might the better understand the matter when it should come into court." Hale immediately interrupted him, and said, he did not deal fairly to come to his chamber about such affairs, for he never received information of any causes but in open court, where both parties were to be heard alike." The nobleman went away not a little dissatisfied, and complained to the king (Charles II.) of Judge Hale's conduct, as a rudeness that was not to be endured." His majesty desired him to be content that he had been used no worse, adding, "that he verily believed the baron would have used himself no better, had he gone to solicit him privately in any one of his own causes."

AFRICAN DOOM.

The report of the Select Committee of the House of Commons, on the state of the British forts on the western coast of Africa, contains the following account of the mode of trial for offences among the natives :

" Trial proceeds, for the most part, upon evidence ; but in particular cases the ordeal, or doom, is resorted to. Doom is a poisonous bark, and is thus administered with great ceremony. The accused person, or a proxy, is stripped quite naked, and seated on the ground in a public place ; a certain quantity is given, which he or she must eat ; immediately after, a large calabash of water is placed before the person, who drinks as much as the stomach will contain, when vomiting consequently takes place. If the doom is thrown up, the person is considered innocent ; if it remains on the

stomach, it is an indication of guilt: the latter seldom occurs; however, there have been some instances which have proved fatal. The idea of doom strikes such a terror into the minds of the natives, that I am of opinion very few submit to the trial who are not perfectly innocent."

EXTRAORDINARY PETITION.

*To the Right Honourable the Lords Commissioners of
His Majesty's Treasury.*

The humble petition of Ralph Griffith, Esq. High Sheriff of the County of Flint, for the present year, 1769, concerning the execution of Edward Edwards for burglary;

SHEWETH,

That your petitioner was at great difficulty and expense by himself, his clerks, and other messengers and agents he employed, in journies to Liverpool and Shrewsbury, to hire an executioner; the convict being a native of Wales, it was almost impossible to procure any of that country to undertake the execution.

Travelling and other expences on that occasion, £15. 10s.

A man at Salop engaged to do this business. Gave him in part £5. 5s. Two men for conducting him, and for their search of him on his deserting from them on the road, and charges on enquiring for another executioner, £4. 10s.---£9. 15s.

After much trouble and expense, John Babington, a convict in the same prison with Edwards, was by means of his wife, prevailed on to execute his fellow prisoner. Gave to the wife £6. 6s. and to Babington £6. 6s.---£12. 12s.

Paid for erecting a gallows, materials, and labour, a business very difficult to be done in this country, £4. 12s.

For the hire of a cart to convey the body, a coffin, and for the burial, £2. 10s.; and for other assistance, trouble, and petty expences on the occasion, at least £5.---£7. 10s.

Which humbly hope your lordships will please to allow your petitioner, who, &c.

THE GUILLOTINE.

Persons who reflect only on the deeds of horror, with the recollection of which the name of the guillotine must ever be associated, may be apt to regard as a monster the man who invented it. It is a curious fact, however, that it was the device of one of the most gentle and humane of men; and that its introduction was solely prompted by a desire of diminishing the severity of capital punishment. M. Guillotin, whose name was transferred to his invention, was a physician at Paris; and being appointed a member of the National Assembly, attracted attention chiefly by a great mildness of disposition. On the 1st of December, 1789, he made a speech on the penal code, remarkable for its philanthropic views; and concluded by a proposal for substituting as less cruel than the halter, the machine which has given to his name an odious immortality. Nobody, we have been assured, deplored more bitterly than M. Guillotin, the fatal use which was speedily made of his invention. He is described by those who were best acquainted with him, as being a clever, placid, reserved man, of

unblemished integrity. When he perceived the course which the revolution was taking, he withdrew from all share in its direction, to the practice of his profession, in which he became distinguished as much by his humanity as his skill.

SIR MICHAEL FOSTER.

“Each judge was true and steady to his trust,
As Mansfield wise, and as old Foster just.”

The Princess Amelia, daughter of King George II., having as Ranger of Richmond Park, directed that a common footway through the park should be stopped, some spirited inhabitants of the neighbourhood brought an indictment for the obstruction against Martha Gray, Keeper of East Sheen gate.

The cause was for a long time depending without the prosecutors being able to bring the question of right to a trial, in consequence of the technical difficulties thrown in the way by the counsel for the princess, and the backwardness of the judges to go into a case where royalty was so nearly concerned. It came on at length for trial before that honour to the bench, Sir Michael Foster, whom Lord Chief Justice De Grey, on an important occasion, characterized by the emphatic appellation of “the Magna Charta of Liberty, of persons as well as fortunes.” After the prosecutors had gone through part of their evidence, Sir Richard Lloyd, who was counsel on the part of the crown, said that it was needless for them to go upon the right, as the crown was not prepared to try that, this being an indictment which could not possibly determine it, because the obstruction was

charged to be in the parish of Wimbledon, whereas it was in that of Mortlake, &c.

The judge turned to the jury, and said he thought they were come there to try a right which the subject claimed to a way through Richmond Park, and not to cavil about little low objections which had no relation to that right. He thought it below the honour of the crown, after this business had been depending three assizes, to send one of its select counsel to stickle on so small a point as this.

Sir R. Lloyd replied in a speech, in which he enlarged much on the gracious disposition of the king, in suffering the cause (an indictment) to be tried at all, since he could have suppressed it with a single breath, by ordering a *noli prosequi* to be entered.

Justice Foster said he was not of that opinion. The subject was interested in such indictments as these, for removing nuisances, and could have no remedy but this, if their rights be encroached upon; wherefore he should think it a denial of justice in the king to stop a prosecution for a nuisance which his whole prerogative does not extend so far as to pardon.

The evidence was then gone through, and the judge summed up shortly, but clearly, for the prosecutors, for whom a verdict was returned.

Lord Thurlow (when a counsel) speaking of this case in a letter to Mr. Ewen, one of the nephews and co-executors of Justice Foster, observes, "It gave me, who am a stranger to him, great pleasure to hear that we have an English judge, whom nothing can tempt or frighten, ready and able to hold up the laws of his country as a great shield of the rights of the people."

A VILLAGE PATRIOT.

The footway from Hampton Wick through Bushy Park (a Royal demesne) to Kingston-upon-Thames, had been for many years shut up from the public. An honest shoemaker, Timothy Bennett, of the former place, "*unwilling* (it was his favourite expression) *to leave the world worse than he found it,*" consulted an attorney upon the practicability of recovering this road for the public good, and the probable expense of a legal process for that purpose. "I do not mean to cobble the job," said Timothy, "for I have *seven hundred pounds*, and I should be willing to give up the *awl*, that great folks might not keep the *upper leather* wrongfully." The lawyer informed him that no such sum would be necessary to try the right; then, said the worthy shoemaker, "as sure as *soles* are *soles*, I'll stick to them to the *last*;" and Lord Halifax, the then *Ranger* of Bushy-park, was immediately served with the regular notice of action; upon which his lordship sent for Timothy, and on his entering the lodge, his lordship said, with some warmth, "And who are you that has the assurance to meddle in this affair?" "My name, my lord, is Timothy Bennett, shoemaker, of Hamptonwick. I remember, an't please your lordship, to have seen, when I was a young man sitting at work, the people cheerfully pass by my shop to Kingston market; but now, my lord, they are forced to go round about, through a hot sandy road, ready to faint beneath their burdens; and *I am unwilling to leave the world worse than I found it.* This, my lord, I humbly represent, is the

reason why I have taken this work in hand." Be-gone," replied his lordship, " you are an impertinent fellow." However, upon mature reflection, his lordship, convinced of the equity of the claim, began to compute the shame of a defeat by a *shoemaker*, desisted from his opposition notwithstanding the opinion of the crown lawyers, and re-opened the road, which is enjoyed by the public without molestation to this day. Honest Timothy died about two years after, in the 77th year of his age, and was followed to the grave by all the populace of his native village.

MOCK PUNISHMENT.

In the year 1787, there happened to be a dispute between the Dutch Factory and the Hottentots at the Cape of Good Hope. One of the former being up the country, was killed by a Hottentot, upon which the chief, or heads of the people, were summoned to find out the offender and bring him to the Bar of Trade, and there punish him, according to their laws, for so great a crime. This was carried into execution in the following singular manner. The Hottentots made a great fire, and brought the criminal, attended by all his friends and relations, who took their leave of him, not in sorrowful lamentations, but in feasting, dancing, and drinking. When the unfortunate criminal had been plentifully supplied with liquor till he became insensibly drunk, his friends made him dance till he was quite spent with fatigue ; in that state they threw him into the fire, and concluded the horrid scene with a hideous howl

which they set up immediately after the criminal was despatched.

Some time after this, one of the Factory killed a Hottentot, upon which the great men came and demanded justice for the blood of their countryman : but the offender happened to be one of the best accountants, and a person whom the Factory could ill spare. However, the crafty Dutchmen devised means to render satisfaction to the natives, under a colour of justice, by the following scheme : They appointed a day for the execution of the murderer, when the Hottentots assembled in great numbers, little conscious of the trick that was to be imposed upon them. A scaffold was erected, and the criminal was brought forth, dressed in white, attended by a minister : after praying, singing psalms, &c. the mock executioner presented him with a flaming draught, which the poor Hottentots supposed was to render an atonement for the loss of their deceased countryman. The criminal received his potion, which was no other than a little burning brandy, with all the outward signs of horror and dread ; his hand shook, his body trembled, and his whole frame appeared in the most violènt agitation ; he at last with seeming reluctance swallowed the draught, and after observing the farce of trembling, &c. for a few minutes, fell down apparently dead, and a blanket was immediately thrown over him. The Hottentots then made a shout that rent the air, and retired perfectly pleased ; observing, " The Dutch have been more severe than ourselves ; for they have put fire into the criminal, whereas we only put the criminal into the fire."

Jeremy Bentham quotes this anecdote to shew, that if the same effect can be produced by the appearance as by the reality of punishment, the former ought to be preferred. But of this it is certainly not an illustration. The end of all punishment, as Mr. Bentham knows, is less to satisfy the injured than to deter the evil-minded. And who will say that drinking a goblet of burnt brandy was a punishment fitted to deter Dutchmen in future from sporting with the lives of the inoffensive Hottentots? The natives were deceived, but the colonists were not.

SUBMISSION TO THE LAWS.

Diodorus Siculus tells us, that among the Ethiopians, such was the high respect paid to the mandates of justice, that it was thought even less disgraceful to suffer an ignominious death, than to escape it by flight. The custom was to send a lictor to the malefactor with the sign of death, and to leave to him to choose his own way of going out of the world. Diodorus mentions a case where an individual to whom the final doom had been sent, having resolved to save himself by flying out of the country, his mother suspecting his design, rather than permit him so to disgrace himself, fastened her girdle about his neck, and strangled him with her own hands !

JEW OUTWITTED.

A Jew had ordered a French merchant in Morocco to furnish him with a considerable quantity of black hats, green shawls, and red silk stockings. When

the articles were ready for delivery, the Jew refused to receive them. Being brought before the emperor, who administers justice himself, he denied having given him the order, and maintained that he did not even know the French merchant. "Have you any witness?" said the emperor to the Frenchman. "No." "So much the worse for you; you should have taken care to have had witnesses; you may retire." The poor merchant, completely ruined, returned home in despair. He was however soon alarmed by a noise in the street; he ran to see what it was. A numerous multitude were following one of the emperor's officers, who was making the following proclamation at all the cross roads:—"Every Jew, who within four and twenty hours after this proclamation, shall be found in the streets without a black beaver hat on his head, a green shawl round his neck, and red silk stockings on his legs, shall be immediately seized, and conveyed to the first court of our palace, to be there flogged to death." The children of Israel all thronged to the French merchant, and before evening, the articles were purchased at any price he chose to demand for them.

LAWS OF WAR.

General Theodore Von Reding, who commanded the Swiss troops in the service of Spain, at the battle of Baylen, and by his intrepidity, personal valour, and sound judgment, greatly contributed to the success of that day, was as distinguished for his justice and clemency as for his courage. On the evening before the battle, several dragoons of one of

the most distant picquets of cavalry, brought into the camp about twenty Andalusian peasants, who were conducting a number of mules and asses laden with water, by a secret road, to the French, when they were seized by the Swiss. The heat was so excessive, that persons of eighty years of age remembered nothing equal to it. The peasants trembling, awaited their sentence before the general's tent, well knowing that death was the consequence of their crime. At last the commander appeared. Curiosity had drawn together some young officers, to whom Reding said, "Gentlemen, form a circle. These men," continued he, addressing the officers with great seriousness, "were conveying to the enemy, who are, we know, suffering for want of water, that necessary article; now determine their punishment---I will collect your votes." "The gallows, according to the laws of war," said the first, the second, and the third. The peasants turned pale. Some voted for shooting them; the most compassionate for drawing lots, and punishing every fifth man. "But do not let us," said the general, "decide too hastily in a case of such importance; which of you, gentlemen, can know how many of us may survive to-morrow? What induced you (turning to the peasants) to act in this manner? You ought to contribute to our success;---you, whose interest it is to do the French all possible harm, even you bring provisions to the enemy's camp!" "General, we have done wrong," said one of the peasants, "but have some excuse to offer. Our huts and corn were a prey to the flames. We are all fathers of families, and no prospect but starvation remained to us for the approaching winter. We

knew very well that the French paid two reals for a glass of water ; with this money we hoped to relieve ourselves from want. Our sons are here in the army, and we also are prepared to die fighting for our country. A part of this very money was intended for powder, as we are too poor to procure our ammunition, as is required of us." Tears sparkled in the eyes of the hero. He went into his tent, came out with a purse in his hand, and gave every peasant a piece of gold worth five ducats, saying, " Divide the water among your countrymen, and leave the French to me : to-morrow they will have something to drink." He would not stop to receive their thanks, but immediately after this noble action withdrew.

CROWN PRINCE OF PERSIA.

Abbas Mirza, Crown Prince of Persia, is one of the most remarkable men of the present times. He is not a mere soldier, but his finer qualities render him still more worthy of succeeding to the Persian throne. Moritz Von Kotzebue relates the following honourable anecdote of him : " The Russian ambassador," says he, " perceived in the garden belonging to the prince, a projecting corner of an old wall, which made a very ugly contrast with the rest, and disfigured the prospect. He asked Abbas Mirza why he did not have it pulled down ? ' Only think,' replied the prince, ' I have bought this garden from several proprietors in order to make something magnificent ; the proprietor of the place where the wall projects is an old peasant, the only person who positively refused to sell me his piece of land, as he

would not part with it at any price, it being an old family possession. I must confess it is very vexatious; but, notwithstanding, I honour him for his attachment to his forefathers, and still more for his boldness in refusing it me: but I will wait till an heir of his shall be more reasonable."

COMPENSATION.

The Morlacchi, a warlike people inhabiting the inland mountains of Dalmatia, are faithful in their friendships, and not implacable in their revenge. A Morlack who has killed another of a powerful family, is commonly obliged to save himself by flight, and to keep out of the way for several years. If during that time he has been fortunate enough to escape the search of his pursuers, and has got a small sum of money, he endeavours to obtain pardon and peace; and, that he may treat about the conditions in person, he asks and obtains a safe conduct, which is faithfully maintained, though only verbally granted. Then he finds mediators; and, on the appointed day, the relations of the two hostile families are assembled, and the criminal is introduced, dragging himself along on his hands and feet, with the musket, pistol, or cutlass, with which he committed the murder, hung about his neck; and while he continues in that humble posture, one or more of the relations recite a panegyric on the dead, which sometimes rekindles the flames of revenge, and puts the poor prostrate in no small danger. It is the custom in some places for the offended party to threaten the criminal, holding all kind of arms to his throat, and

after much intreaty, to consent at last to accept of his ransom. These pacifications cost dear in Albania ; but the Morlacchi make up matters at a small expense ; and every where the business is concluded with a feast at the offender's charge.

LOSS OF A PIG.

Mr. Robertson, in his " Notes on Africa," gives the following anecdote of the administration of justice in that uncivilized quarter of the globe.

" At Tatum, the mother of a child was attracted by its cries, which was caused by a pig having stolen something from it, of which it had been eating ; as was natural, the woman struck the pig with a stick which happened to be near. This blow, the owner of the pig contended, caused its death ; the affair, however, remained many years unnoticed ; but it was at length brought forward, and urged with such vigour, that many persons were involved in it, who were not born at the time the transaction took place. As the animal was a female, the damages were calculated at a higher rate ; and the result was, that every one connected by the most distant affinity with the unhappy mother, to the number of thirty-two, husband, children, and all that was most dear, were sold as a remuneration for the loss of a pig. The avarice of the chiefs, who received a proportion of the spoil, was only restrained when there was nothing more to be disposed of. The same monstrous practice is adopted on the loss of fowls ; and the claims calculated in the same way ; whole families have been sold for a single chicken."

NADIR-SHAH.

A conspiracy was formed against the life of the celebrated Nadir-Shah, in which his son, Riza-Kouli-Mirza, whom he tenderly loved, acted a principal part. When Nadir's son, whose guilt was clearly proved, was brought before him, he addressed him with a tenderness which does honour to his character. "Consider," said he, "that I am your general, your sovereign, your friend, your father. By all these titles I implore of you one sole favour; that is, to live to be happy, and to reign gloriously when it shall please Providence to bring my days to a close. You are entirely in my power; your fate depends on my will; but all that I ask of you is to abjure your animosity towards me, which is as unjust as it is inexplicable."

But the heart of Riza-Kouli-Mirza was hardened, and he answered his father to his face:

"You are a tyrant; you merit death; and if the world is not already rid of you, it is no fault of mine. I fear you not. Do your worst. The worst is death, and death I brave."

Mirza gave other proofs of determined disobedience; and according to the practice of the East, he had his eyes put out. Some days after the punishment, when brought into the presence of his father, he thus addressed him: "You have indeed put out my eyes, but you have, at the same time, darkened the light of Persia."

If Mirza had been animated by the impulse of a genuine spirit of patriotism, his conduct might in

some degree excite our admiration ; but the truth was, that he was a monster of obduracy and vice.

DELAWARE INDIANS.

In the year 1785, an Indian murdered a Mr. Evans at Pittsburg. When after a confinement of several months, his trial was to be brought on, the chiefs of his nation (the Delaware) were invited to be present at the proceedings, and see how the trial would be conducted, as well as to speak in behalf of the accused, if they chose. These chiefs, however, instead of going as wished for, sent to the civil officers of that place the following laconic answer : “ Brethren ! you inform us that N. N. who murdered one of your men at Pittsburg, is shortly to be tried by the laws of your country, at which trial you request that some of us may be present. Brethren ! knowing N. N. to have been always a very bad man, we do not wish to see him. We therefore advise you to try him by your laws, and to hang him, so that he may never return to us again.”

WINNING A LOSS.

In the canton of Schwitz, many years ago, a man named Frantz came one evening to Gaspard, who was working in his field, and said to him, “ Friend, it is now mowing time ; we have a difference about a meadow, you know, and I have got the judges to meet at Schwitz, to determine the cause, since we cannot do it for ourselves ; so you must come with me before them to-morrow.” “ You see, Frantz,”

replied Gaspard, "that I have mown all this field; I must get in this hay to-morrow; I cannot possibly leave it." "And," rejoined Frantz, "I cannot send away the judges now they have fixed the day; and besides, one ought to know whom the field belongs to before it is mown." They disputed the matter some time; at length Gaspard said to Frantz, "I will tell you how it shall be; go to-morrow to Schwitz, tell the judges both your reasons and mine, and then there will be no need for me to go." "Well," said the other, "if you choose to trust your cause to me, I will manage it as if it were my own." Matters thus settled, Frantz went to Schwitz, and pleaded before the judges his own and Gaspard's cause as well as he could. When sentence was pronounced, Frantz returned to Gaspard. "Gaspard," said he, "the field is yours; I congratulate you, neighbour; the judges have decided for you, and I am glad the affair is finished." Frantz and Gaspard were friends ever after.

BENEFITS OF LITIGATION.

The spirit of litigation was, perhaps, never carried to a greater extent, than in a cause between two eminent potters of Handley Green, Staffordshire, for a sum of *two pounds, nine shillings, and one penny*. After being in chancery eleven years, from 1749 to 1760, it was put an end to by John Morton, and Randle Wilbraham, Esquires, to whom it was referred; when they determined that the complainant filed his bill without any cause, and that he was indebted to the defendant, at the same time, the sum for which he

had brought this action. This they awarded him to pay, with a thousand guineas of costs !

ERRONEOUS VERDICTS.

A circumstance happened at the Old Bailey sessions in 1777, which shews how cautious and well informed it is necessary a jury should be in the discharge of their duty. A young man was tried for a capital felony, and through the inexperience of the foreman, a verdict was returned to the extreme of the charge. When the convicts were brought up to receive sentence, the court was thrown into an alarm by the Middlesex jury, who declared that they had resolved to find the prisoner guilty merely of the felony in stealing the goods, the punishment for which would not take away his life ; that when they were deliberating upon the evidence, so far were they from any intention of finding the prisoner guilty of the capital charge, that they observed among themselves he was a very proper object for the ballast lighters. The recorder endeavoured to soften the rigour of the verdict, and to that purpose made a strict enquiry who was the cause of this egregious error ; but it turned out that it belonged not to his province to comply with the compassionate wishes of the jury. The verdict was recorded, and the only method to save the poor fellow from the disgrace and horror of a violent death, was a petition from the jury to the king, which the recorder promised to deliver, and aid their attempt to mend the mistake. The prisoner seemed to be shocked exceedingly. When called upon to shew cause why sentence

should not be pronounced against him, he said, "I never imagined I was found guilty of a capital offence, till I was fetched from the cell." The petition, we need not say, had the desired effect.

During the assizes at Oxford, some years ago, a man was tried for some felony; the judge had charged the jury, and called on the foreman, a decent farmer, for a verdict. While the judge turned his head to speak to some person on the bench, the foreman of the jury, who had not paid any attention to the evidence, or the judge's charge, asked a stranger, (the late Mr. Richard Lovell Edgeworth,) who happened to sit behind him, what verdict he should give? Struck with the injustice and illegality of this procedure, Mr. Edgeworth stood up, and addressed the judges, Wills and Smith. "My lords," said he. "Sit down, sir," said the judge. "My lord, I request to be heard for a moment." The judge grew angry, and threatened to punish him for contempt of court if he persisted. By this time the eyes of the whole court were turned upon Mr. E. who feeling that he was in the right, still persevered. "My lord," said he, "I must lay a circumstance before you which has just happened." The judge still thinking that he had some complaint to make of a private nature, ordered the sheriff to remove him; but while he was doing this, Mr. E. again addressed their lordships, and said, "My lords, you will commit me if you think proper; but in the mean time I must declare, that the foreman of this jury is going to deliver an illegal verdict, for he has not paid any attention to the evidence, and he has asked me, who,

am not of the jury, what verdict he ought to give?" The judge then made an apology to Mr. E. for his hastiness, adding a few words of strong approbation.

FACETIÆ.

When Lord Mansfield one day took his seat as Lord Chief Justice of England, a man was brought into court to receive judgment for an assault, of which he had been convicted. He wore remarkably large whiskers, and was known to be very proud of them. His affidavit stated that he was unable to pay any pecuniary fine, and the court was unwilling to imprison him, On this being intimated to Mr. Dunning, the counsel for the prosecution, he instantly replied, "Then, if it please your lordship, we will consent to mulct him of his mustachoes, and humbly pray your lordship that he may be *shaved*!"

A highwayman, named Bolland, confined in Newgate, sent for a solicitor to know how he could defer his trial; and was answered, "by getting an apothecary to make affidavit of his illness." This was accordingly done in the following manner: "The deponent verily believes, that if the said James Bolland is obliged to take his trial at the ensuing sessions, he will be in imminent danger of his life." To which the learned judge on the bench answered, "That he verily believed so too!" The trial was ordered to proceed immediately.

MURDER WILL OUT.

Mr. Martin, receiver of taxes at Bilguy in France, having, in the year 1818, been out collecting the taxes, was returning home along the high road, when he was shot through the heart at one o'clock in the afternoon. He had only one hundred francs about him, of which he was robbed, as well as of his watch and ring. The manner in which the murderer was discovered was this : the charge of the gun had been rammed down with a written paper ; part of this wadding had been found, and carefully carried away with the body : the writing was still legible. On this piece of paper there were phrases which are used in glass manufactories, and a date of near fifteen years previous. Upon this single indication the judge went to the owner of the glass manufactory at Bilguy, examined his books, and succeeded in finding an entry relative to the delivery of some glass, of which the paper in question was the invoice. The suspicion immediately fell on the son-in-law of this individual ; the latter had been out of the country for ten years. Orders were given to arrest the person suspected. When the officers came to him, he was on his knees praying. In his fright he confessed the deed ; and even shewed where the watch and ring were concealed, under the thatch of his house.

INNOCENT SUFFERER.

About the year 1766, a young woman who lived servant with a person of very depraved habits in Paris,

having rejected certain dishonourable proposals that he made her, became the object of his revenge. He clandestinely put into the box where she kept her clothes, several things belonging to himself and marked with his name; he then declared that he had been robbed, sent for a constable, and made his depositions. The box was opened, and he claimed several articles as belonging to him.

The poor girl being imprisoned, had only tears for her defence; and all that she said to the interrogatories was, that she was innocent. The judges who in those days seldom scrutinized any case very deeply, pronounced her guilty, and she was condemned to be hanged. She was led to the scaffold, and very unskilfully executed, it being the first essay of the executioner's son in this horrid profession. A surgeon bought the body; and as he was preparing in the evening to dissect it, he perceived some remains of warmth; the knife dropt from his hand, and he put into bed the unfortunate woman he was going to dissect. His endeavours to restore her to life succeeded. At the same time he sent for an ecclesiastic, with whose discretion and experience he was well acquainted, as well to consult him on this strange event, as to make him witness of his conduct.

When this unfortunate girl opened her eyes, and saw the figure of the priest (who had features strongly marked) standing before her, she thought herself in the other world. She clasped her hands with terror, and exclaimed, "Eternal father! you know my innocence, have mercy on me!" She did not cease to invoke the ecclesiastic, and it was long before she could be convinced that she was not dead, so strongly had

the idea of punishment and death impressed her imagination. Nothing could be more affecting or expressive, than the exclamation of an innocent soul to him whom she considered as her Supreme Judge. What a picture for the painter! what a theme for the philosopher! what a lesson for judges!

The poor girl being recovered, quitted the house of the surgeon that night, and concealed herself in a distant village; while the base villain who had been the author of all her misery, remained unpunished.

FOUND GOODS.

It was one of the laws of Stagira, that “no one should take up, what he never laid down.” Biblius used to say, “It was a kind of blossom of injustice to seize upon what was so found;” and in the practice of his life, never was a man more scrupulously reserved in this respect.

FEUDAL JUSTICE.

By the side of a small fountain near the house of Glengarry, in the highlands of Scotland, a pyramidal monument is to be seen, on the top of which are represented seven heads, with hideous distortion of feature, clutched by the hair in an enormous hand, a sword in which appears as if it had been the instrument of their decollation. On the four sides of the pyramid there is written, in Gaelic, English, French, and Latin, the following inscription :

In Memory
 OF THE PROMPT AND SIGNAL
VENGEANCE
 WHICH THE ORDERS OF LORD MACDONELL AND AROSS
 DIRECTED
 ACCORDING TO THE RAPID COURSE
 OF
FEUDAL JUSTICE,
 INFLICTED ON
 THE AUTHORS OF THE HORRIBLE ASSASSINATION
 OF
THE KEPPOCH FAMILY,
 A BRANCH
 OF THE POWERFUL AND ILLUSTRIOUS CLAN,
 OF WHICH
 HIS LORDSHIP WAS THE CHIEFTAIN,
This Monument is Erected
 BY
 COLONEL M'DONELL GLENGARRY,
 HIS SUCCESSOR
 AND
 REPRESENTATIVE,
 THE YEAR OF OUR LORD, 1812.
 THE HEADS OF THE SEVEN MURDERERS
 WERE BROUGHT
TO THE FEET
 OF
 THE NOBLE CHIEFTAIN,
 IN
 THE HOUSE OF GLENGARRY,
 AFTER HAVING BEEN WASHED
 IN THAT FOUNTAIN:
 AND SINCE THAT EVENT, WHICH TOOK PLACE IN THE
 FIRST YEARS OF THE SIXTEENTH CENTURY, IT HAS
 ALWAYS BEEN KNOWN BY THE NAME OF
The Fountain of Heads.

The seven individuals were, it appears, beheaded
 without any form of trial; circumstances pointed
 them out as the authors of the crime; and without

more ado, the chieftain gave orders to his satellites to bring him their heads. "May my feeble voice," says a French traveller, M. Dupin, "make known this infamous monument from one end of Europe to the other; and may people feel what difference there is between the arbitrary sentences, the prompt, the glorious exterminations of feudal times, and the constitutional judgments of our free juries."

FEMALE PLEADING.

The Athenians had a law, that no woman should be permitted to plead her own cause. It had its origin from a case in which the celebrated Phryne was concerned. Afraid of trusting her defence to any hired advocate, she appeared in her own behalf; and such is said to have been the enchanting effect of her personal beauty on the judges, that contrary to evidence, they pronounced her guiltless.

In modern times, men have learnt to be less susceptible in themselves, and more just towards the sex; and since women must be prosecuted at times, we do not add to their comparative helplessness, by depriving them of any means of defence with which nature may have provided them.

The right of pleading for themselves in courts of justice, is one however of which females in modern times have rarely availed themselves; but there is one instance of recent occurrence which shews, that a woman may achieve for herself, what no male advocate could (in all human probability), and that not by the meretricious influence of personal charms, but by sound argument and common sense. The instance

to which we allude is that of Miss Tucker, tried at Exeter assizes for a libel. The lady pled her own cause, and in a way so contrary to what the lawyers call practice (*their practice*), as greatly to excite the compassion of the judge, who more than once interfered to remind the fair pleader, how little she was speaking to the purpose, mixing with his admonitions an expression of regret that she had not entrusted her defence to some gentleman of the bar, who would have known how to conduct it! Miss T. (obstinate woman!) was not to be turned from her own way; she had nothing to gain by mere deference to the opinion of the judge; all she wanted, all she hoped for, and all she was striving for, was to gain her own cause. The judge (charitable in vain!) abandoned her to her fate; and when she had done "talking to no purpose," charged the jury in a sense by no means favourable to her acquittal. The jury brought in a verdict of *not guilty*.

ALLEGIANCE.

When King John took possession of his brother's dominions, and confirmed his usurpation, by the murder of his nephew Arthur, Philip Augustus, King of France, summoned him as his vassal to the court of his peers. John demanded a safe conduct. "Willingly," said Philip, "let him come unmolested." "And return?" enquired the English envoy. "If the judgment of his peers permit him," replied the king; "for by all the saints in France, he shall not return unless acquitted." The Bishop of Ely still remonstrated, that the Duke of Normandy

could not come without the King of England, they being the same person; nor would the barons of the country permit their sovereign to run the hazard of death or imprisonment. "What of that, my Lord Bishop?" cried Philip; "it is well known that my vassal, the Duke of Normandy, acquired England by violence; but if a subject attains any accession of dignity, shall his paramount lord therefore lose his rights?" John not appearing to his summons, was declared guilty of felony, and his fiefs confiscated. Philip poured his troops into Normandy, and in two years that province, with Maine and Anjou, were irrecoverably lost to the crown of England.

DEFAMATION.

Charondas, the legislator of the Thurians, enacted that every person guilty of calumny should be led through the streets with a crown of tamarind on his head, to notify to the public that he had arrived at the last degree of malevolence. Many against whom this mortifying sentence had been denounced, prevented its execution by suicide. The security of the law made the crime very rare, and greatly promoted the tranquillity and happiness of the state.

Alfred of England had a law against slander more severe; but not attended, we believe, with quite so good an effect, owing doubtless to its being imperfectly administered, "*Qui falsi rumoris in vulgus sparsi auctor est lingua præcitor.*"

By the laws of the Goths whilst in Spain, it was made penal to say of a great man that he was gouty;

they thought it, we presume, hard enough that a man should have to suffer such a torment without being twitted about it.

BANISHMENT FROM THE PRESENCE.

One of the French parliaments condemned a person of the name of Aujay, for having insulted a lady of quality, to withdraw himself from all places in which she should appear, under pain of some severer punishment.

Madame Montbason received from the Queen of Austria a similar sentence, for having in like manner offended the Princess of Condé.

WITCHCRAFT.

A belief in witchcraft was universal throughout Europe till the sixteenth century, and even maintained its ground with tolerable firmness till the middle of the seventeenth. Vast numbers of reputed witches were condemned to death every year. As late as the time of the civil wars, upwards of eighty were hanged in Suffolk, on the accusation of Hopkins, the witch finder.

In the eighteenth volume of the Statistical Account of Scotland, there is a most curious account of the trial of two witches, William Coke and Alison Dick, in Kirkaldy, in 1636. The evidence on which they were condemned is absolutely ridiculous ; they were however burnt for witchcraft. The following is an account of the expences to which the town and kirk session were put on this occasion :

<i>Imprimis.</i>	To Mr. James Miller, when he sent to Prestowe for a man to try them	£2	7	0
<i>Item.</i>	To the man of Culross (the executioner) when he went away the first time	0	12	0
<i>Item.</i>	In purchasing the commission....	9	3	0
<i>Item.</i>	For coals for the witches	1	4	0
<i>Item.</i>	For one to go to Finmouth for the laird to sit upon the assize as judge ..	0	6	0
<i>Item.</i>	For harden to be jumps to them..	3-10		0
<i>Item.</i>	For making of them.....	0	8	0

Summa for the kirk's part (Scots) £17 10 0

The town's part of expences debursed extraordinarily upon William Coke and Alison Dick:

<i>Imprimis.</i>	For ten loads of coals to burn them, five merks	£3	6	8
<i>Item.</i>	For a tar barrel, 14f.	0	14	0
<i>Item.</i>	For towes	0	6	0
<i>Item.</i>	To him that brought the executioner	2	18	0
<i>Item.</i>	To the executioner for his pains ..	8	14	0
<i>Item.</i>	For his expences here	0	16	4
<i>Item.</i>	For one to go to Finmouth for the laird	0	6	0

Summa town part (Scots) £17 1 0

Both.... 34 11 0

Or (Sterling) 2 17 7

The methods of discovering witches were various. One was to weigh the supposed criminal against the church Bible, which, if she was guilty, would outweigh her; another, to make her attempt to say the

Lord's Prayer; this no witch was able to repeat entirely, but would omit some part or other of it. A witch could not weep more than three tears, and that only out of the left eye. This want of tears was by the witch finders, and even by the judges, considered as a very decisive proof of guilt. Swimming a witch was another kind of popular ordeal generally practised. For this the unhappy individual was stripped naked, and cross bound, the right thumb to the left toe, and the left thumb to the right toe. Thus prepared, she was thrown into a pond or river, in which, if guilty, she *could not sink*; for having by her compact with the devil, renounced the benefit of the water of baptism, that element in its turn renounced her, and refused to receive her in its bosom!

It cannot fail to be remarked, of all these modes of punishment, that they are extremely favourable to the accused, and appear as if they had been devised by some persons who, superior to the darkness of the times in which they lived, resorted to these ingenious expedients to give a harmless turn to a folly which they could not cure. It is to be regretted, indeed, that they were not as generally used as from their humanity they deserved to be; for we see from the old records, that thousands of unfortunate creatures, chiefly women, were notwithstanding, on the accusation of children, old women, and fools, condemned for witchcraft, and burnt at the stake.

The latest general frenzy of this sort occurred in New England about the year 1692, when a thirst for denouncing and executing persons for witchcraft became so general, that invading all the charities of private life, it proved as wasteful as even the sword

or the pestilence. The mania rose at last to so hideous and intolerable a height, that the government, to save the people from utter extermination, ordered all prosecutions for witchcraft to be dropped, and the prisoners to be set at liberty. It was remarked, not without wonder, that as soon as the power of prosecuting was at an end, all reports of witchcraft ceased.

In Europe generally at the present day, a belief in witchcraft is still not wholly eradicated from the minds of the vulgar; as has been two well evinced by several melancholy instances, in which, no longer able to satiate their fury under the mask of law, persons have taken the work of vengeance into their own hands, and have in their turn been justly punished for it.

At Wingrove, in Hertfordshire, so recently as the year 1759, a case occurred of the old popular trial by weighing against the Church Bible, which as one of the last curious relics of this sort of justice, may be worth relating. One Susannah Hannokes, an elderly woman, was accused by a neighbour of being a witch, and the over-act offered in proof was, that she had bewitched this said neighbour's spinning wheel, so that she could not make it go round either one way or other! The complaining party offered to make oath of the fact before a magistrate; on which the husband of the poor woman, in order to justify his wife, insisted that she should be tried by the Church Bible, and that the accuser should be present. The woman was accordingly conducted by her husband to their ordeal, attended by a great concourse of people,

who flocked to the parish church to witness the ceremony. Being stript of nearly all her clothes, she was put into one scale and the Bible into another, when, to the no small astonishment and mortification of her accuser, she actually outweighed it, and was honourably acquitted of the charge.

INFORMER FITLY REWARDED.

When General Pichegru entered Maestricht, he experienced some difficulty in obtaining quarters for his troops. A merchant who considered himself very patriotic, called on him, and gave him a list of *Orangists* who had soldiers quartered on them, though not in sufficient numbers, in the opinion of this demagogue, who wished that the Aristocrats should have their houses filled with troops, from the cellar to the garret. "I am obliged to you for this information," said Pichegru; "and have they sent *you* any soldiers, citizen?" "Yes, general." "How many?" "Four." "That will do." The merchant had no sooner returned home, than forty more soldiers arrived, and took possession of his house. He hastened back to the general, and informed him that some mistake had taken place. "Oh, no," said Pichegru, "I only removed my men from those vile *Orangists*, who I knew would ill-treat them, to place them in the house of a patriot like you, where I am sure they will be received hospitably."

SPEAKING FOR TIME.

The most successful, if not the most eloquent, effort that Mr. Curran made at the bar, was in the defence of Patrick Finney, who was tried for high treason in 1798. It was also the most important, since the fate of fifteen other persons depended on it. The principal witness on this trial was the informer, James O'Brien, whose subsequent crimes rendered him so notorious in Ireland. This fellow had extorted money by assuming the character of a revenue officer, and Mr. Curran, with great skill, continued to make him develop his own character to the jury, in the course of a very curious cross examination. But this was not sufficient; a witness necessary to prove O'Brien's perjury, lived a few miles from Dublin; and in order to afford time for his being brought, it was agreed by Mr. Curran, that his colleague, Mr. McNally, should commence the prisoner's defence, and continue speaking as long as he could find a syllable to say. This he did with great ability until he was exhausted, and the evening so far advanced, that the court consented to a temporary adjournment; and before it resumed its sitting, the material witness arrived.

NOUREDDIN OF ALEPPO.

Nouredin, who was Lord of the powerful State of Aleppo during the twelfth century, though the greatest Mussulman of the age, was as simple in his dress as the meanest peasant. In his reign, the laws were so well administered, that Damascus was crowded with

strangers. The public revenues were never disturbed by the king, except in the presence of the doctors of the law ; and so small a portion did he reserve for the support of his dignity, that his queen complained of his parsimony : but he replied, “ I fear God, and am no more than the treasurer of the Moslems. Their property I cannot alienate ; but I still possess three shops in the City of Hems ; these you may take, and these alone I can bestow.” In every part of his dominions, he built mosques and hospitals, and places of refreshment for travellers. The acetic too might find a convent, and the studious a school. But the most beneficent of all his institutions, was a tribunal for the redress of wrongs which emirs and governors had committed on their subjects. Power acknowledged the dignity of genius ; for men of learning were so much the objects of his attention, that he arose to meet them, and never required them to observe the Asiatic custom of standing in the presence of the sovereign.

IMPROBABLE, YET TRUE.

In the reign of Charles the Second, a French refugee of the name of Du Moulin was tried for coining, and never perhaps was evidence from circumstances more conclusive of a man's guilt. It was proved beyond all doubt, that he had been often detected in uttering false gold, and that he had even made a practice of returning counterfeit coins to persons from whom he had received money, pretending that they were among the pieces which had been paid him. When the officers of justice went to arrest him and search his premises,

they found a great number of counterfeit coins in a drawer by themselves ; others packed along with good money in different parcels ; some aqua-regia, several files, a pair of moulds, and many other implements for coining.

Du Moulin solemnly denied the charge. The bad money, he said, " which was found in a heap, he had thrown together, because he could not trace the person from whom he had received it ; the other parcels of money he had kept separate, in order that he might know to whom to apply, should any of it prove bad ; as to the implements of coining, he knew nothing of them, and could not possibly account for their being found where they were." A likely story truly ! So thought the jury, and so whispered every person who heard it. Du Moulin was found guilty, and received sentence of death.

A few days before Du Moulin was to be executed, a person of the name of Williams, a seal engraver, met with his death by an accident ; his wife miscarried from the fright, and sensible she could not live, she sent for the wife of Du Moulin, and revealed to her that Williams, her husband, had been one of four whom she named, who had for many years lived by counterfeiting gold coin ; that one of these persons had hired himself as a servant to Du Moulin ; and being provided by the gang with false keys, had disposed of very considerable sums of bad money, by opening his master's escritoire, and leaving the pieces there instead of an equal number of good ones which he took out," The wife of Williams appeared in great agony of mind while she gave the account, and as soon as it was finished, fell into convulsions and expired.

The parties she had named were on the information

of Madame Du Moulin instantly apprehended, and after a short time one of them turned king's evidence. The one who had been servant to Du Moulin persisted in asserting his innocence, until some corroborating circumstances were produced, so unexpected and decisive, that he burst into tears, and acknowledged his guilt. On being asked how the instruments for coining came into his master's *escritoire*? he replied, "that when the officers came to apprehend his master, he was terrified, lest they should be found in his (the servant's) possession, and hastened to his box in which they were deposited, opened the *escrutoire* with his false key, and had just time to shut it before the officers entered the apartment."

Du Moulin was of course pardoned, and the servant and his associates most deservedly suffered in his stead.

MUSARABIC LITURGY.

A question was agitated in Spain, in the eleventh century, whether the Musarabic liturgy and ritual, which had been used in the churches of Spain, or that approved by the see of Rome, which differed in many particulars from the other, contained the form of worship most acceptable to the Deity? The Spaniards contended zealously for the ritual of their ancestors. The Popes urged them to receive that to which they had given their infallible sanction. A violent contest arose. The nobles proposed to decide the controversy by the sword. The king approved of this method of decision. Two knights in complete armour entered the lists. John Ruys de Matanca, the champion of

the Musarabic liturgy, was victorious. But the Queen, and Archbishop of Toledo, who favoured the other form, insisted on having the matter submitted to another trial, which was granted. A great fire was kindled. A copy of each liturgy was thrown into the flames; and it was agreed that the book which stood this proof, and remained untouched, should be received in all the churches of Spain. The Musarabic liturgy triumphed likewise upon this trial; and if we may believe Roderigo de Toledo, remained unhurt by the fire, when the other was reduced to ashes. The queen and archbishop had power or art to elude this decision also; and the use of the Musarabic liturgy was permitted only in certain churches---a determination no less extraordinary than the whole transaction.

EXTRAORDINARY IMPOSTURE.

In the year 1580, a bill of complaint was prepared before the criminal judge of Rieux, in France, by a woman of the name of Bertrand de Rols, whose cause of grievance was of the following extraordinary nature. She said that she had at an early age been married to one Martin Guerre, who after living with her about ten years, had deserted her, and gone no one knew whither; that at the end of eight years a man came, who had so exactly the features, stature, and complexion of Martin Guerre, that she had taken him for her true husband; and had unsuspectingly lived with him as such for the space of three years, during which she had two children by him; that to her surprise she now found out, that the man was not the real Martin Guerre, but one Arnaud du Tilh, of Sagias, commonly called

Pansette, who had artfully taken the advantage of his resemblance to her husband, to impose himself upon her; and besides usurping the conjugal rights of Martin Guerre, had obtained possession of all the property that belonged to him.

In answer to this strange story, the man said to be Arnaud du Tilh, protested that the prosecution was nothing more than a wicked conspiracy which his wife and relations had hatched to get rid of him; that if he was not the real Martin Guerre, he did not know who he was; that he had had this name as far back as he could remember; that it was he who had married when a youth the complainant, Bertrand de Rols, and had lived with her so many years; that not only she had received him on his return with all the warmth of a loving and affectionate wife, but that all the family of the Guerres, and among others, four sisters, had instantly and gladly recognized him as their own long-lost Martin Guerre.

The judge made both parties undergo a severe personal examination, first separately, and then in presence of each other; and the answers of the man were on every point, even of the most minute and private description, as, in all human belief, none but the real Martin Guerre could have given.

Witnesses were then examined to the number of nearly one hundred and fifty. Of these, between thirty and forty, including the four sisters, swore that he was the true Martin Guerre; that they had known him and conversed with him from his infancy; that they were perfectly acquainted with his person, manners, and tone of voice; and that they were moreover convinced of the truth of what they asserted,

by certain scars and secret marks, which it was impossible for time to efface. A great many on the contrary swore quite as positively that he was no other than Arnaud du Tilh, called Pansette, and they had known him as long, and been as familiarly acquainted with him, as those who pretended that he was Martin Guerre. The rest of the witnesses declared, that there was so strong a resemblance between the two persons in question, that it was impossible for them to determine whether the accused was Martin Guerre, or Arnaud du Tilh.

The judge on weighing the whole case, inclined to the belief that the man was not the real Martin Guerre, but Arnaud du Tilh, and condemned him as a wretched impostor, to suffer the punishment of death.

From this sentence the accused appealed to the parliament of Toulouse, who ordered an Inquisition to be taken as to the principal facts in dispute, with this limitation, that none but new witnesses should be examined. But so far was this ordinance from eliciting any new lights, that it served only to render the affair still more obscure than it was before. Of thirty new witnesses examined, nine or ten were positive that he was the true Martin Guerre; seven or eight were as positive that he was Arnaud du Tilh; the rest having weighed all circumstances, and being afraid of injuring their consciences, declared plainly that they were not able to say who he was.

Among the witnesses who negatived most positively his identity with Martin Guerre, was a shoemaker who used to make shoes for Martin; he deposed that Martin's foot reached to the twelfth mark, whereas

the foot of the accused reached no farther than the ninth mark upon his rule. Another witness swore that Martin Guerre was dexterous in wrestling, of which this man did not pretend to know any thing.

But on the other hand, among those who had formerly sworn that he was the true Martin Guerre, and still persisted in their depositions, were the four sisters of Martin, who were all brought up with him, and who all had the reputation of being women of good sense; two of the brothers-in-law of Martin; and all the parties who were present at the nuptials of Martin and Bertrand de Rols. All, or at least the greater part of these witnesses, agreed that Martin Guerre had two scars under his eye-brow, that his left eye was bloodshot, the nail of his first finger crooked, that he had three warts on his right hand, and another on his little finger; and all of these peculiarities were to be found on the accused.

The parliament began now to incline to the part of the accused, and had thoughts of reversing the judgment of the inferior judge, when of a sudden, as if he had dropped out of the clouds, a man calling himself the true Martin Guerre, but with a wooden leg, appeared. He asserted that he came from Spain, where he had lost his leg in battle; and that the person who had assumed his name had been his companion in arms, and had thus doubtless got so well acquainted with all the particulars of his private history.

He was interrogated by the court as to the same facts on which the accused had been questioned. All his answers were true, yet they were neither so clear, so positive, nor so exact, as those given by the

accused. He was next confronted with the supposed Arnaud, when the latter treated him as an impostor, as a fellow picked out by his relations to support this character, and take away his life. The accused, to make this the clearer, asked him a number of questions, as to several family transactions; and these he answered faintly, and with some confusion. The court on this directed Arnaud to withdraw, and then put several questions to the Martin with one leg, that were new, and had never been asked before; and his answers were very full and satisfactory. They then called on Arnaud, and questioned him as to the same points; but to the great surprise and confusion of the court, the answers of Arnaud were not only as full and satisfactory as those of Martin, but perfectly corresponded with them.

The court resolving to clear up this unaccountable obscurity, directed that now both the pretenders being present, the four sisters of Martin Guerre; the husbands of two of them; Peter Guerre, an uncle; the brothers of Arnaud du Tilh, and some of those witnesses who were most obstinate in insisting that the accused was Martin Guerre, should be called in and obliged to point out him that they should now judge to be the true Martin. Accordingly all these persons appeared, except the brothers of Arnaud du Tilh. The first who drew near the two persons claiming the name of Martin Guerre, was the eldest of the sisters, who after she had looked upon them for a moment, ran to the Martin with the wooden leg, embraced him, and having let fall a shower of tears, addressed herself to the commissioners in these words: "See, gentlemen," said she, "my brother Martin Guerre.

I acknowledge the error into which this wretched man (pointing to Arnaud) drew me and many others, and in which by a multitude of artifices he has made us persist so long." Martin all this time mingled his tears with those of his sister, and received her embraces with the utmost affection. All the rest knew him as soon as they saw him ; and there was not one of all the witnesses who did not acknowledge that the matter was now plain, and that Arnaud du Tilh was an impostor.

No doubt now remaining as to the guilt of Arnaud, the court condemned him to death, and he was executed accordingly in front of Martin Guerre's house, testifying his sincere repentance for the extraordinary course of imposture in which he had been engaged.

"AN EYE FOR AN EYE, AND A TOOTH FOR A TOOTH."

Mr. Andrew Layton was the principal partner in a house of considerable capital and respectability at Mogadore. One afternoon in the year 1802, he went out on horseback, accompanied by two or three gentlemen, with some greyhounds, and on his return towards Mogadore, one of the dogs attacked a calf belonging to a neighbouring village ; a Shelluh, who was the owner of the calf, shot the dog ; on this a fray ensued, and the village was soon in an uproar ; in the scuffle, some Shelluh women were seen to throw stones, and one of the party (Mr. Barré) was considerably bruised : Layton also gave and received several blows. The party returned to Mogadore when Mr. Layton immediately made a complaint to

the governor, who promised him justice should be done. The governor accordingly sent for the villagers, who on their part insisted on satisfaction being awarded to them, alleging that a woman had had two of her teeth knocked out by Layton, and in the name of God and the Prophet, they appealed for justice to the emperor himself. This appeal obliged the governor to write to the emperor, and the parties were ordered up to Morocco. Witnesses were there adduced against Layton, who declared that he had knocked the woman's teeth out with the thick end of his whip; and the emperor was pleased to order two of his teeth to be pulled out, as a satisfaction to the lady for the loss of her's. His majesty however did not appear disposed to put the sentence in execution; but the people, who had assembled in immense numbers on the occasion, exclaimed loudly for retaliation. When the tooth-drawer approached, Mr. Layton requested that he might have two of his back teeth taken out, in lieu of two of his front teeth, which request the emperor granted. His majesty was pleased with the courage with which Layton suffered the operation, and next day he apologized to him for the injury, saying, that he would not have allowed the sentence of the law to have been executed, had it not been necessary to allay the fury of the people. He then desired him to ask any favour, and he would grant it. Mr. Layton accordingly requested permission to load a cargo of wheat, which was granted; and, we believe, free of duty. His majesty afterwards conferred upon him similar favours. Some general remonstrance was made by all the European consuls collectively respecting this affair, and the

emperor, it appeared, would have made a proper apology to the British consul, had it been demanded with energy and resolution; which on some account or other was not done. The influence of Great Britain suffered by not supporting her subject; and ever since this transaction, encroachments have been making on the privileges of Europeans.

. PROTECTION OF SANCTUARIES.

Eutropius, the minion and favourite of Arcadius the emperor, was the first who introduced a law that any guilty person might be taken out of a sanctuary by force; and it is remarkable, that he himself fell a victim to his own law. Being accused of a conspiracy, against the emperor, he was sentenced to death, but fled to a temple or sanctuary, from which, by virtue of his own law, he was dragged out and slain.

PHALARIS'S BULL.

Perillus, an Athenian, cast a brazen bull for Phalaris, the tyrant of Sicily, which was so constructed, that when it was heated and offenders put into it, their cries seemed not like those of human beings, but like the roarings of a bull. When he went to Phalaris, in the hope of being nobly recompensed for so admirable a refinement of cruelty, the tyrant, just for once, ordered him to be thrown into the bull himself, in order that he might shew the excellence of his own invention. Whence Ovid,

" Et Phalaris tauro violenti membra Perilli
Torruit, infelix imbuit autor opus."

Perillus roasted in the bull he made,
Gave the first proof of his own cruel trade.

CONSCIENCE.

A follower of Pythagoras had bought a pair of shoes from a cobbler, for which he promised to pay him on a future day. He went with his money on the day appointed, but found that the cobbler had in the interval departed this life. Without saying any thing of his errand, he withdrew, secretly rejoicing at the opportunity thus unexpectedly afforded him of gaining a pair of shoes for nothing. His conscience, however, says Seneca, would not suffer him to be quiet under such an act of injustice; so taking up the money, he returned to the cobbler's shop, and casting in the money, said, "Go thy ways, for though he is dead to all the world besides, yet he is alive to me."

PUNISHMENT IN KIND.

Early in the fifteenth century, a band of Highland robbers, headed by one Macdonald of Rosse, having taken two cows from a poor woman, she vowed that she would wear no shoes till she had complained to the king. The savages, in ridicule of her oath, nailed horseshoes to the soles of her feet. When her wounds were healed, she proceeded to the royal presence, told her story, and showed her scars. The just monarch instantly despatched an armed force to se-

cure M^cDonald, who was brought to Perth, along with twelve of his associates. The king caused them all to be shod in the same manner as they had done by the poor woman; and after they had been for three days exhibited through the streets of the town as a public spectacle, M^cDonald was beheaded, and his companions hung.

TRIAL BY ORDEAL.

In the dark ages of Modern Europe, the absurd practice of trial by ordeal was held in high esteem. The chief modes were by fire, by water, by walking blindfold among heated ploughshares, and by swallowing consecrated bread. The last, styled by Muratori, the *judicium panis et casei*, and introduced about the time of Pope Eugene, was simple enough. A piece of bread or cheese of about an ounce in weight was blessed by the priest, and given to the accused person, who was to try and swallow it, after first praying of the Almighty that it might choke him, cause convulsions, paleness, &c. if he were guilty.

Blackstone remarks, that the remembrance of this custom still subsists in certain phrases of the common people, as "May this morsel be my last;" "May I be choked if it is so," and the like. The custom was evidently borrowed from the Mosaic law, in which we find it particularly prescribed. An example of its practice occurs in the New Testament, in the story of Ananias and Sapphira.

Among the most remarkable trials by ordeal in our ancient history, was that of Queen Emma. The charges against her were preferred by Robert, Arch-

bishop of Canterbury. She was accused both of consenting to the death of her son Alfred, and of preparing poison for her son Edward (the confessor) also ; and lastly, of too much familiarity with Alwin, Bishop of Winchester. Edward listened to those charges, and his mother, according to the law of the land, claimed the ordeal, or trial by burning ploughshares. The Queen Dowager, on the night preceding the trial, prayed for help in the Abbey of St. Swithune at Winchester ; and she passed the nine ploughshares unhurt. Her innocence being held to be thus established, the king seems to have been enjoined penance for his credulity, and the archbishop to have fled the kingdom ; compelled either by the law which held him to be a false accuser, or by the odium of his imputed guilt, or probably by the persecutions of the Queen Dowager's friends.

A mode of trial for murder got into vogue at a no very late period, which is perhaps quite as absurd as any we have mentioned. When a person was murdered, it was said that at the touch or on the approach of the murderer, blood would gush out of the body. In various parts of Europe, this was actually held as an undoubted proof of guilt ; and with the vulgar it is still a very prevailing article of belief, that murder in this way is sure to be found out. Beard says, that the practice originated in the following occurrence :

“ Certain gentlemen in Denmark being on an evening together in an inn, fell out amongst themselves, and from words went to blows ; the candles being put out in this blind fray, one of them was

stabbed by a poignard. The murderer was unknown by reason of the number, although the gentlemen accused a pursuivant of the king's of it, who was one of them in the room. Christernus the Second, then king, to find out the homicide, caused them all to come together in the room; and standing round about the dead corpse, he commanded that they should one after another lay their right hand on the slain gentleman's naked breast, swearing they had not killed him. The gentlemen did so, and no sign appeared to witness against them: the pursuivant only remained, who (condemned before in his own conscience) went first of all and kissed the dead man's feet; but as soon as he laid his hand on his breast, the blood gushed forth in great abundance, both out of his wound and nostrils, so that urged by this evident accusation, he confessed the murder, and by the king's own sentence, was immediately beheaded. Hereupon arose that practice (which is now ordinary in many places) of finding out unknown murderers, which, by the admirable power of God, are for the most part revealed either by the bleeding of the corpse, or the opening of its eyes, or some other extraordinary sign as daily experience teaches."

Of the marvellous efficacy of this sign, the same author obliges us with the following, among other equally veritable proofs.

Henry Renzovius, Lieutenant to the King of Denmark in the dukedom of Holsatia, in a letter of his to David Chytreus, writes thus: "A traveller was found murdered in the highway, near to Itzeho in Denmark; and because the murderer was unknown, the magistrates of the place caused one of the hands of him that was

slain to be cut off, and hung up by a string on the top of the room in the town prison. About *ten years after*, the murderer coming upon some occasion into the prison, the hand that had been a long time dry, began to drop blood upon the table that stood underneath it; which the gaoler beholding, stayed the fellow, and gave notice of it to the magistrates; who examining him, the murderer confessed his guilt, and submitted himself to the rigour of the law, which was inflicted on him, as he well deserved."

Among the Hindoos of the present day, the trial by ordeal is held in the same reverence which it was by the ancient Europeans, and is practised with much greater variety. One of their most singular ordeals, is the trial by balance, which is thus performed. The accused is placed in a pair of scales and carefully weighed; he is then taken down, when the pundits write the substance of the accusation against him on a piece of paper, which they stick on his forehead. At the end of six minutes he is weighed again, when if lighter than before, he is pronounced innocent; if heavier, guilty. Another of their ordeals is literally a casting of lots. Two images of gods, one of silver and one of iron, are thrown into a large earthen jar; or two pictures of a deity, one on white and the other on black cloth, are rolled up and thrown into a jar; if the accused on putting in his hand draws out the silver image or the white picture, he is deemed innocent; if the contrary, guilty.

WAGER OF BATTLE.

Of the absurdity of the ancient practice of determining doubtful accusations by single combat, we have abundance of instances on record, but we meet with none more distressing than the following, which occurred between two Scotch gentlemen in the reign of Edward VI. in which "the villain triumphed, and the injured fell." It arose out of the war which originated in the refusal of the Scotch to consummate the marriage of Mary their young Queen, with Edward VI., according to the contract made in the reign of her father, Henry VIII. The Scotch lost a number of strong holds, and among others the castle of Yester, which surrendered to the English general, Lord Grey, on condition that he should spare the lives of all the garrison with the exception of one man, who was reported to have said some unpardonable things of the King of England. "Now," say the old chroniclers, "as the garrison marched out of the castle in their sbirts, and made their most humble obeisance, as became them, to the Lord Grey, he caused very strict search to be made for the base railer, who was excepted from pardon, and he was found to be one Mr. Newton, a native of Scotland.

"This man, finding the great danger he was in, bethought himself of no other way to save his life, than by throwing the accusation upon one Mr. Hamilton: now these two gentlemen charging each other with the fact, the general could find no other way to decide it than by combat, which they demanded; and the Lord Grey assenting thereto, judgment was

pronounced to have it tried; and this he was the more induced to agree to, because all persons seemed resolute for the decision of the truth; as in a very just cause, by the loss of their lives to gain an immortal name, according to that line,

“*Mors spernenda viris, ut fama perennis alatur.*”

No time was lost in making due preparation for this combat: so that the champions entered the lists at the appointed time which were erected for that end in the market-place of Hadington; having only their doublets and hose on, and armed with sword, buckler, and dagger. Hamilton, at his first entrance into the lists, kneeling down, put up hearty prayers to God Almighty, that he would be pleased to vindicate the truth, and grant him victory over his enemy; and at the same time he made most solemn protestations, that he never spoke any such words against the King of England as his adversary charged upon him. On the other side, Newton seemed as if he had been daunted with his false accusation; and the generality of the spectators entertained an opinion of his guilt to his prejudice. Be it as it will, both of them being ready, they fell busily to it, and exchanged several fierce blows. Hamilton, in the opinion of all the people, seeming to rely upon his innocence, laid stoutly about, and forced his adversary to retreat almost to the end of the lists; to which if he had quite driven him, he had, by the law of arms, won the victory. Newton, finding himself thus upon the point of being worsted, advanced again, and gave Hamilton such a great gash in the leg, that he was not able to stand any longer, but down he dropped,

and Newton falling upon him, presently slew him with his dagger.

“ There were several gentlemen there present, who taking it for granted that Newton was the offender, thought fortune had favoured him in the combat, who would readily have ventured their lives against him, man for man, if the general would have allowed it; but Newton laying claim to the law of arms, the Lord Grey not only gave him the benefit of it, but also presented him with his own gown, besides his own back plate, and a gold plate, which he wore at the time. “ Thus,” adds the historian, “ he was well rewarded, whatever his desert might be; but he did not come off so, for riding afterwards on the borders of both kingdoms, he was there slain, and cut in pieces.”

PEINE FORTE ET DURE.

The horrid punishment of pressing to death, which the English law imposes on persons standing mute when put on their trial, was frequently inflicted in former times, and some instances of it are even to be met with of as late a date as the reign of George II.

At the Kilkenny assizes, in 1740, one Matthew Ryan was tried for highway robbery. When he was apprehended he pretended to be a lunatic, stripped himself in the gaol, threw away his clothes, and could not be prevailed on to put them on again, but went as he was to the court to take his trial. He then affected to be dumb, and would not plead; on which the judges ordered a jury to be impaneled, to enquire and give their opinion whether he was mute and lunatic by the hand of God, or wilfully so. The jury returned in a

short time, and brought in a verdict of "Wilful and affected dumbness and lunacy." The judges on this desired the prisoner to plead; but he still pretended to be insensible to all that was said to him. The law now called for the *peine forte et dure*; but the judges compassionately deferred awarding it until a future day, in the hope that he might in the mean time acquire a juster sense of his situation. When again brought up however, the criminal persisted in his refusal to plead; and the court at last pronounced the dreadful sentence, that he should *be pressed to death*. This sentence was accordingly executed upon him two days after, in the public market place of Kilkenny. As the weights were heaping on the wretched man, he earnestly supplicated to be hanged; but it being beyond the power of the sheriff to deviate from the mode of punishment prescribed in the sentence, even this was an indulgence which could no longer be granted to him.

In England, the latest instance (we believe) of a similar kind occurred in a case where Baron Thompson presided as judge. It is an odious and revolting mode of satisfying public justice; yet is only a necessary adjunct of that fondness for capital punishments which pervades, and is a stain to the whole of the English penal code.

CULPABLE HOMICIDE.

Hobbes thinks it a great singularity and severity in the laws of England, that if a man intending to steal deer (a case put by Sir Edward Coke) shoots at a buck, and the arrow glances on a bystander, this should be deemed murder, as being the consequence

of the felonious act in which the man was engaged. He asks, if a boy stealing apples from a tree falls upon the head of a person under it, and kills him, whether this should be considered as murder?

Locke also puts a very singular case of homicide. A man with a sword in his hand demands my purse on the highway, when perhaps I have not twelve pence in my pocket; this man I may lawfully kill. To another I deliver £100 to hold whilst I alight, which he refuses to restore to me, and draws his sword to defend possession of it by force, if I endeavour to retake it. The mischief this man does me is a hundred, or probably a thousand times more than the other perhaps intended me (whom I killed before he did me any), yet I may lawfully kill the one, and cannot so much as hurt the other.

LIBELS.

Dr. Donne says, "there may be many cases where a person may do his country good and service by libelling; for where a man is either too great, or his vices too general, to be brought under judiciary accusation, there is no way but this extraordinary method of accusation; and I have heard, that nothing hath suppld and allayed the Duke of Lerma so much as the frequent libels made upon him." Hobbes asserts, that among the Greeks there was no law against contumely by words and gesture; the fact is, that they looked upon any resentment for such contumely to arise from the pusillanimity of him who was offended by it. The Greenlanders generally show their resentment for injuries, by giving their adversaries fair notice

that they will recite a libel against them on such a day ; and it is reckoned a want of spirit, if the antagonist does not attend and give a very smart answer.

ANATHEMATIZING.

Among the modern Greeks, when a man has received, or fancies he has received, a serious injury from his neighbour, and is unwilling to seek redress by the ordinary modes of justice, he betakes himself to what is called *building up a curse* against his adversary. This is done by raising a round barrow, or mound of stones. He first lays himself some large ones for a foundation, and leaves room enough for his relatives or friends, or any passing traveller who may take an interest in his cause, to add a pebble to his anathema. He then solemnly calls upon the Fates to shower down every species of calamity upon the head of the offender ; and not unfrequently joins the arch fiend, the author of all evil, in his invocation. Sometimes it opportunely happens, that the pistol of a Turk, or a Malaria fever, soon after takes off the devoted victim ; and the anathematizer is then sure to be regarded with a species of reverential awe by the neighbourhood, and esteemed as a person under the special protection of heaven.

JEWS.

The *Statutum de Judaismo*, said to be of 4th Edward I., contains some curious particulars with regard to the terms on which Jews were tolerated in this country. By the second section, *the good Christians*

are not to take above half their substance. By the eighth, no Christian is permitted to lie in their houses. Voltaire, in speaking of the persecution of the Jews. says, "*C' est le meme chose de coucher avec un Juif et un chein, et ce sont nos peres.*"

Howell tells the following story of a Jew in the time of Henry III. He had by accident fallen into a foul pit on his sabbath, Saturday, and would not suffer any one to take him out, though rather a necessary work. The Earl of Gloucester hearing of this, would not suffer any one to take him out on a Sunday, as being the sabbath of the Christians. The Jew by this cruel joke was suffocated.

Sir Edward Coke relates, that a great number of Jews were once persuaded by the master of a ship to take a walk upon the sands whilst the tide was coming in (which he represented to ebb); and by this deceit they were surrounded by the sea, and drowned. The reflection which Sir Edward Coke makes on this abominable act of treachery, is not very creditable to his sense of either justice or humanity. He merely says, "Thus perished these infidel Jews."

One of the causes of the persecution of the Jews, arose from a notion that they killed the children of Christians in order to use their blood in medicine. Gower says, that this was prescribed to Constantine for the cure of the leprosy; but he refused to try the medicine; and as a reward for abstaining from so wicked a remedy, was miraculously cured.

CRUEL SPORT.

In the reign of Edward the Sixth, there was an insurrection in Cornwall on account of the alteration of the religion, and the county was placed under martial law, which in those times consisted simply in a provost marshal's going about, and hanging up whomsoever he pleased. Of the wanton manner in which Sir William Kingston, the provost marshal on this occasion, executed his commission, the following memorable instances are recorded.

One Boyer, Mayor of Bodmin, had been among the rebels, not willingly, but by compulsion. Kingston, without enquiring into the circumstances, sent him notice that on a certain day he would come and dine with him. The mayor made, accordingly, great preparations for receiving the marshal, who failed not to come at the time appointed. A little before dinner, the marshal took the mayor aside, and whispered him in the ear, "That an execution must that day take place in the town, and that a gallows would require to be set up against the time the dinner should be done." The mayor promised that one should be ready without fail; and gave orders to that effect to his officers. Meanwhile a sumptuous dinner was served up, to which they sat down in the greatest good humour imaginable. The mayor spared no effort to please his guest, who seemed on his part as if he had never been more delighted. When the entertainment was over, the marshal taking the mayor by the hand, requested him to lead him to the place where the gallows was erected. They accordingly walked forth, hand in hand; and on

reaching the spot, the marshal asked Boyer, "If he thought the gallows strong enough?" "O yes," answered the mayor, "doubtless it is." "Well, then," said the marshal, coolly, "get you up speedily, for it is provided for you." "Nay," rejoined the mayor, "surely you mean not as you speak?" "I'-faith," said the marshal, "there is no other remedy; you have been a busy rebel, so get up instantly." And so add the chroniclers, imitating in their style the brevity of the atrocious deed they record, "without respite or defence was the poor Mayor of Bodmin hanged."

Near the same town there dwelt a miller, who had actually been very busily concerned in the rebellion. Dreading the approach of the marshal, he told a sturdy fellow, his servant, that he had occasion to go for some time from home, and that he wished him to take charge of his concerns till his return; that some strangers would probably be enquiring after him, about an intended purchase of the mill; and in case they should, that he (the servant) should pass for the miller, and say nothing of his being from home. The servant readily consenting to all this, the miller took his leave. Not long after, a party of strangers made their appearance, as expected, at the mill; it was Kingston and his men. "Ho! there!" exclaimed Kingston, "miller, come forth." The servant stepped out, and enquired what was his pleasure? "Are you the owner of this mill?" "Yes." "How long have you kept it?" "These three years." (the time his master had kept it.) "Aye, aye!" exclaimed Kingston, "the very rogue we want." He then commanded his men to lay hold on the fellow, and hang

him on the next tree. On hearing this, the astonished servant instantly called out, "That he was not the miller, but the miller's man." "Nay, sir," said Kingston, "I must take you at your word. If thou bee'st the miller, thou art a busy knave ; if thou art not, thou art a false lying knave ; and howsoever, thou canst never do thy master better service than to hang for him." All the poor fellow's supplications were in vain ; he was instantly despatched.

THE MAID AND MAGPIE.

A citizen of Paris having lost several silver forks, accused his maid servant of the robbery ; she was tried, and circumstances appeared so strong against her, that she was found guilty and executed. Six months afterwards, the forks were found under an old roof, behind a heap of tiles, where a magpie had hid them. It is well known that this bird, by an inexplicable instinct, steals and collects utensils of gold and silver. When it was discovered that the poor innocent girl had been condemned unjustly, an annual mass was founded at St. John-en-Grese, for the repose of her soul. The souls of the judges had more occasion for it.

This story has been made the subject of interesting dramatic representations, both in France and in this country.

DISTRESS.

A Spaniard insists upon his horse or arms not being taken in execution ; a Frenchman, according to the

ancient laws of France, has his dress privileged ; a Scotchman is content if his working tools are left to him, which are all that the laws of *his* country privilege from seizure.

SELF-DEFENCE.

The right of self-defence, admits of fewer exceptions than almost any right which is recognized in society. The laws of Spain go farther in this respect, than those of most other countries. So far from imposing any forfeiture in the case of homicide committed in the defence of one's person, they exhort every one to resist personal injury to the utmost, considering it better that a man should defend himself when alive, than to leave it to others to avenge him after he is killed. Self-defence is indeed forbidden by the law of Japan. Kempfer says, that if the aggressor is killed, the survivor hath only permission to be his own executioner. The Japanese however are not only "*toto divisos orbe*," by situation, they are still more so by their laws and customs.

FALSE PLEAS.

Lord Robert de Willoughby, says Sir Edward Coke, addressing the counsellors at the bar of the court, said, "I have seen the time, when if you had pleaded an erroneous plea, you would have been sent to prison." In one of the speeches which Coke made in the Temple Hall, in the year 1614, on a call of sergeants, he mentions the following anecdote with regard to the scruples of Littleton and Coke, about a false plea.

They were in the time of Henry VI. entreated to save a default in a real action, on this plea; that by the greatness of the waters, their client could not pass for sixteen days. Holding this to be untrue, they refused to plead it.

By a statute of James I. of Scotland, every advocate is ordered to take the following oath :

“ *Illud juretur, quod lis sibi justa videtur,
Et si quæretur, verum non inficietur,
Nil promittetur, nec falsa probatio detur,
Ut lis tardetur, dilatio nulla petetur.*”

SINGULAR CLIENTS.

In the bishopric of Autun, the rats had multiplied to such a degree, from about the year 1522 to 1530, as from the devastation they committed, to cause an apprehension of famine. All human means appearing insufficient, the ecclesiastical judge of the diocese was petitioned to excommunicate them. But the sentence about to be hurled against them by the spiritual thunder, would not, it was imagined, be sufficiently efficacious, unless regular proceedings were instituted against the devoted objects of destruction.

The proctor accordingly lodged a formal complaint against the rats, and the judge ordered that they should be summoned to appear before him. The period for their appearance having expired without the animals having presented themselves, the proctor obtained a first judgment by default against them, and demanded that the definite judgment should be proceeded in.

The judge deeming it but fair that the accused

should be defended officially, named Barthelemi Chassanée their advocate.

Chassanée, sensible of the opprobrious light in which his singular clients were held, availed himself of many dilatory exceptions, in order to give time for prejudices to subside.

He at first maintained that the rats being dispersed amongst a great number of villages, a single summons was not sufficient to warn them all. He therefore demanded, and it was ordered, that a second notification should be given to them by the clergyman of each parish at the time of his sermon.

At the expiration of the considerable delay occasioned by this exception, he made an excuse for the new default of his parties, by dwelling on the length and difficulty of the journey; on the danger they were exposed to from the cats, their mortal enemies, who would lay in wait for them in all directions, &c.

When these evasive means were exhausted, he rested his defence upon considerations of humanity and policy. "Was there any thing more unjust than those general proscriptions levelled at whole families, which punished the offspring for the guilt of the parents, which involved without distinction those of tender years, and even those whose incapacity equally rendered them incapable of crime?" &c.

We are not informed what award was made by the judge. The President de Thou, who relates the fact, only observes that Chassanée's reputation commenced from this cause, and that he afterwards rose to the chief offices of the magistracy.

SAXON LAWS.

The Saxons were particularly curious in fixing pecuniary compensations for injuries of all kinds, without leaving it to the discretion of the judge, to proportion the amends to the degree of injury suffered. Those penalties were more or less, according to the time or place in which the wrong was committed, or the part of the body or member which was injured. The cutting off an ear, involved a penalty of thirty shillings; if the hearing was lost, sixty shillings. Striking out the front tooth, was punished with a fine of eight shillings; the canine tooth, four shillings; the grinders, sixteen shillings. If a common person was bound with chains, the amends were ten shillings; if beaten, twenty shillings; if hung up, thirty shillings. A man who mutilated an ox's horn, was to pay a fine of tenpence; but if it was a cow, the fine was only twopence. To fight, or make a brawl in the court or yard of a common person, was punished with a fine of six shillings; to draw a sword in the same place, even though there was no fighting, with a fine of three shillings; if the party in whose yard or court this happened, was worth six hundred shillings, the amends were treble.

The notion of compensation ran through the whole criminal law of the Anglo-Saxons, who allowed a sum of money as a recompense for every kind of crime, not excepting murder. Every man's life had its value, called a *were*, or *capitis estimatis*. This had varied at different periods; therefore in the time of King Athelstan a law was made to settle the *were* of every order of persons in the state. The king, who on this occa-

sion was only distinguished as a superior personage, was rated at 30,000 thrymsæ ; an archbishop or earl at 15,000 ; a bishop or alderman at 8000 ; *Belli Imperator* or *summus præfectus* at 4000 ; a priest or thane at 2000 ; and a common person at 267 thrymsæ.

BORROWING.

The Egyptians had a very remarkable ordinance to prevent persons from borrowing imprudently. An Egyptian was not permitted to borrow without giving to his creditor in pledge the body of his father. It was deemed both an impiety and an infamy not to redeem so sacred a pledge. A person who died without discharging that duty, was deprived of the customary honours paid to the dead.



INDEX.

ANECDOTES OF JUSTICE.

	page		page
Affection and Duty	31	Favourite Strangers	112
African Doom	115	Female Pleading	139
Allegiance	140	Feudal Justice	137
Anathematizing	169	Foster, Sir Michael	118
Aristides	3	Found Goods	137
Arnold the Miller	103	Frederick the Great	102
Artaxerxes	22	Guillotine, the	117
Bacon, Lord	65	Habeas Corpus Act	70
Balance of Good and Ill	111	Hanging an Alderman	86
Balmerino, Lord	73	Henry, Prince, and Judge Gas-	
Banishment	99, 142	coigne	38
Benefits of Litigation	131	Holt, Chief-Justice	90
Borrowing	178	Imposture, extraordinary	151
Bribe well weighed	30	Improbable, yet True	148
Brutus	8	Inflexible Judges	40
Cadles, Turkish	29	Informer rewarded	146
Caliph reclaimed	28	Innocent Sufferer	135
Chambers, Richard	75	Irons, confinement in	36
China, Emperor of	106	Jeffries, Judge	84
Christian IX. of Denmark ..	71	Jew Outwitted	123
Circumstantial Evidence	45	Jews	169
Clameur de Haro	94	Judicial Integrity	96
Coke, Sir Edward	68	— Precipitation	63
Compensation	127	Julian, Emperor	27
Condition, fair	33	Law, common, in England ..	35
Conscience	159	Laws of War	124
Corrupt Influence	113	Libels	168
Cranmer	42	Lilburn, Colonel	74
Cruel Sport	171	Loss of a Pig	128
Culpable Homicide	167	Maid and Magpie	173
Defamation	141	Mary, Queen	42
Delay of Judgment	24	Mock Punishment	121
Delaware Indians	130	Modern Brutus	10
Detections, singular	19	Monitor, bold	15
Distress	173	More, Sir Thomas	42
Diocles	6	Murder will out	135
Diaco	5	Musarabic Liturgy	150
Enemy, honourable	17	Nadir-Shah	129
Erroneous Verdicts	132	Noureddin of Aleppo	147
Escapes from the Gallows	36	Patriotic Dying Speech	107
Example, memorable	23	Peine forte et dure	166
“Eye for an Eye”	156	Penn, William	76
Fabius	13	Perfidy Punished	18
Facetiæ	131	— Rewarded	19
False Pleas	174		

	page		page
Persia, Prince of	126	Singular Clients	175
Peter the Great.....	100	Sleep of Innocence.....	112
Petition, extraordinary	116	Socrates	6
Phalaris's Bull	158	Solon	5
Philip of Macedon	21	Sovereign's Reply	25
Portius, Cato	14	Speaking for Time	147
Power of Conscience	109	Stourton, Lord	45
Privilege of Parliament	91	Submission to the Laws	123
Protection of Sanctuaries....	156	Sufferer for Conscience sake .	37
Punishment, fit	45	Suit, long	110
———, extraordinary ..	111	Supremacy of the Laws.....	70
——— in kind.....	159	Ties of Kindred	7
Redress, prompt and signal ..	25	Trajan, Emperor	16
Responsibility of Judges	102	Trial by Ordeal	160
Retributive Justice	92	Tried Man, a	15
Revenge, noble	17	Trides, to be just in	23
Reward of Treachery.....	13	Turkish Practice, modern....	34
Saladin.....	27	Verdict against Evidence	64
Sanquhar, Lord	72	Village Patriot	120
Saxon Laws	177	Wager of Battle	164
Scandalizing a Princess	87	Williams, Lord Keeper	72
Scotch Law	96	Winning a Loss.....	130
Self Defence	174	Witchcraft	142
Shaftesbury, Lord Chancellor	83	Witnesses, examination of ..	98,



ENGRAVED BY T. BOY 7 LUDGATE HILL.

Approved by the Committee with permission from a

Committee of the Society of Antiquaries

THE
PERCY ANECDOTES

ORIGINAL AND SELECT

SHOLTO AND REUBEN PERCY

BROTHERS OF THE BENEDICTINE MONASTERY

MONT BENGHER.

LB

LONDON.

PRINTED FOR T. BOYS, LUDGATE HILL.

1822.

TO
JAMES HOGG,
THE ETTRICK SHEPHERD,
THESE
Anecdotes of Instinct
ARE
RESPECTFULLY DEDICATED,
BY
HIS MOST ARDENT ADMIRERS
AND
SINCERE FRIENDS,

*Tholto Percy
Rushon Percy*

THE
Percy Anecdotes.

ANECDOTES OF INSTINCT.

“ Reason serves when press’d,
But honest Instinct comes a volunteer.”

POPE.

SABINUS AND HIS DOG.

AFTER the execution of Sabinus, the Roman general, who suffered death for his attachment to the family of Germanicus, his body was exposed to the public upon the precipice of the Gemoniæ, as a warning to all who should dare to befriend the house of Germanicus; no friend had courage to approach the body; one only remained true--his faithful dog. For three days the animal continued to watch the body; his pathetic howlings awakened the sympathy of every heart. Food was brought him, which he was kindly encouraged to eat; but on taking the bread, instead of obeying the impulse of hunger, he fondly laid it on his master's mouth, and renewed his lamentations: days thus passed, nor did he for a moment quit the body.

The body was at length thrown into the Tiber ; and the generous creature, still unwilling that it should perish, leaped into the water after it, and clasping the corpse between his paws, vainly endeavoured to preserve it from sinking.

PORUS SAVED BY HIS ELEPHANT.

King Porus, in a battle with Alexander the Great, being severely wounded, fell from the back of his elephant. The Macedonian soldiers supposing him dead, pushed forward, in order to despoil him of his rich clothing and accoutrements ; but the faithful elephant standing over the body of its master, boldly repelled every one who dared to approach, and while the enemy stood at bay, took the bleeding Porus up with his trunk, and placed him again on his back. The troops of Porus came by this time to his relief, and the king was saved ; but the elephant died of the wounds which it had received in the heroic defence of its master.

DEATH OF ANTIOCHUS REVENGED.

When Antiochus was slain in battle by Centaretrius the Galatian, the victor exultingly leaped on the back of the fallen king's horse ; but he had no sooner done so, than the animal, as if sensible that it was bestrode by the slayer of his master, instantly exhibited signs of the greatest fury, and bounding forwards to the top of a lofty rock, with a speed which defied every attempt of Centaretrius to disengage himself, leaped

with him over the precipice, at the foot of which both were found dashed to pieces.

RIGHTS OF HOSPITALITY.

“I have been assured,” says Chenier, in his ‘Present State of Morocco,’ “that a Brebe who went to hunt the lion, having proceeded far into a forest, happened to meet with two lion’s whelps that came to caress him: the hunter stopped with the little animals, and waiting for the coming of the sire or the dam, took out his breakfast, and gave them a part. The lioness arrived unperceived by the huntsman, so that he had not time, or perhaps wanted the courage, to take to his gun. After having for some time looked at the man that was thus feasting her young, the lioness went away, and soon after returned, bearing with her a sheep, which she came and laid at the huntsman’s feet.

“The Brebe thus become one of the family, took this occasion of making a good meal, skinned the sheep, made a fire, and roasted a part, giving the entrails to the young. The lion in his turn came also; and, as if respecting the rights of hospitality, shewed no tokens whatever of ferocity. Their guest the next day having finished his provisions, returned, and came to a resolution never more to kill any of those animals, the noble generosity of which he had so fully proved. He stroked and caressed the whelps at taking leave of them, and the dam and sire accompanied him till he was safely out of the forest.”

GRATEFUL LIONESS.

A dreadful famine raged at Buenos Ayres during the government of Don Diego de Mendoza, in Paraguay; yet Don Diego, afraid of giving the Indians a habit of spilling Spanish blood, forbade the inhabitants, on pain of death, to go into the fields in search of relief; placing soldiers at all the outlets to the country, with orders to fire upon those who should attempt to transgress his orders. A woman, however, called Maldonata, was artful enough to elude the vigilance of the guards, and escape; after wandering about the country for a long time, she sought for shelter in a cavern, but she had scarcely entered it, when she espied a lioness, the sight of which terrified her. She was, however, soon quieted by the caresses of the animal, who was in a state in which assistance is of the most service, and most gratefully remembered even by the brute creation. Of this the lioness gave her benefactress the most sensible proofs. She never returned from searching after her own daily subsistence, without laying a portion of it at the feet of Maldonata, until her whelps being strong enough to walk abroad, she took them out with her, and never returned.

Some time after, Maldonata fell into the hands of the Spaniards, and being brought back to Buenos Ayres, was conducted before Don Francis Ruiz de Galan, who then commanded there, on the charge of having left the city contrary to orders. Galan was a man of cruelty, and condemned the unfortunate woman to a death, which none but the most cruel tyrant could have thought of. He ordered some soldiers to

take her into the country, and leave her tied to a tree, either to perish by hunger, or to be torn to pieces by wild beasts, as he expected. Two days after, he sent the same soldiers to see what was become of her; when, to their great surprise, they found her alive and unhurt, though surrounded by lions and tigers, which a lioness at her feet kept at some distance. As soon as the lioness perceived the soldiers, she retired a little, and enabled them to unbind Maldonata, who related to them the history of this lioness, whom she knew to be the same she had formerly assisted in the cavern. On the soldiers taking Maldonata away, the lioness fawned upon her as unwilling to part. The soldiers reported what they had seen to the commander, who could not but pardon a woman who had been so singularly protected, without appearing more inhuman than lions themselves.

MORE FAITHFUL THAN FAVOURED.

Sir Harry Lee of Ditchley, in Oxfordshire, ancestor of the Earls of Litchfield, had a mastiff which guarded the house and yard, but had never met with the least particular attention from his master, and was retained from his utility alone, and not from any particular regard. One night, as his master was retiring to his chamber, attended by his *faithful* valet, an Italian, the mastiff silently followed him up stairs, which he had never been known to do before, and, to his master's astonishment, presented himself in his bed-room. Being deemed an intruder, he was instantly ordered to be turned out; which being done, the poor animal began scratching violently at the door, and

howling loudly for admission. The servant was sent to drive him away. Discouragement could not check his intended labour of love, or rather providential impulse ; he returned again, and was more importunate than before to be let in. Sir Harry, weary of opposition, bade the servant open the door, that they might see what he wanted to do. This done, the mastiff with a wag of his tail, and a look of affection at his lord, deliberately walked up, and crawling under the bed, laid himself down as if desirous to take up his night's lodging there. To save farther trouble, but not from any partiality for his company, the indulgence was allowed. About the solemn hour of midnight the chamber door opened, and a person was heard stepping across the room : Sir Harry started from his sleep ; the dog sprung from his covert, and seizing the unwelcome disturber, fixed him to the spot ! All was dark ; and Sir Harry rang his bell in great trepidation, in order to procure a light. The person who was pinned to the floor by the courageous mastiff, roared for assistance. It was found to be the valet, who little expected such a reception. He endeavoured to apologize for his intrusion, and to make the reasons which induced him to take this step appear plausible ; but the importunity of the dog, the time, the place, the manner of the valet, all raised suspicions in Sir Harry's mind ; and he determined to refer the investigation of the business to a magistrate. The perfidious Italian, alternately terrified by the dread of punishment, and soothed with the hopes of pardon, at length confessed that it was his intention to murder his master, and then rob the house. This diabolical design was frustrated only by the instinctive

attachment of the dog to his master, which seemed to have been directed on this occasion by the interference of Providence. How else could the poor animal know the meditated assassination? How else could he have learned to submit to injury and insult for his well-meant services; and finally seize and detain a person, who, it is probable, had shown him more kindness than his owner had ever done? It may be impossible to reason on such a topic, but the facts are indisputable. A full length picture of Sir Harry, with the mastiff by his side, and the words, "More faithful than favoured," are still to be seen at the family seat at Ditchley, and are a lasting monument of the gratitude of the master, the ingratitude of the servant, and the fidelity of the dog.

THE BROKEN HEART.

A few days before the fall of Robespierre, a revolutionary tribunal in one of the departments of the North of France, condemned to death M. des R****, an ancient magistrate, and a most estimable man, as guilty of a conspiracy. M. des R. had a waterspaniel, ten or twelve years old, of the small breed, which had been brought up by him, and had never quitted him. Des R. saw his family dispersed by a system of terror: some had taken flight; others were arrested and carried into distant gaols; his domestics were dismissed; his friends had either abandoned him, or concealed themselves; he was himself in prison, and every thing in the world was silent to him, except his dog. This faithful animal had been refused admittance

into the prison. He had returned to his master's house, and found it shut ; he took refuge with a neighbour who received him ; but that posterity may judge rightly of the times in which we have existed, it must be added, that this man received him with trembling, and in secret, dreading lest his humanity for an animal should conduct him to the scaffold. Every day at the same hour the dog left the house, and went to the door of the prison. He was refused admittance, but he constantly passed an hour before it, and then returned. His fidelity at length won upon the porter, and he was one day allowed to enter. The dog saw his master, and clung to him. It was difficult to separate them, but the gaoler forced him away, and the dog returned to his retreat. He came back the next morning, and every day ; once each day he was admitted. He licked the hand of his friend, looked him in the face, again licked his hand, and went away of himself.

When the day of sentence arrived, notwithstanding the crowd, notwithstanding the guard, the dog penetrated into the hall, and crouched himself between the legs of the unhappy man, whom he was about to lose for ever. The judges condemned him ; he was reconducted to the prison, and the dog for that time did not quit the door. The fatal hour arrives ; the prison opens ; the unfortunate man passes out ; it is his dog that receives him at the threshold. He clings upon his hand, that hand which so soon must cease to pat his caressing head. He follows him ; the axe falls ; the master dies ; but the tenderness of the dog cannot cease. The body is carried away ; the dog walks at its side ; the earth receives it ; he lays himself upon the grave.

There he passed the first night, the next day, and the second night. The neighbour in the meantime unhappy at not seeing him, risks himself in searching for the dog; guesses, from the extent of his fidelity, the asylum he had chosen; finds him, caresses him, and makes him eat. An hour afterwards the dog escaped, and regained his favourite place. Three months passed away, each morning of which he came to seek his food, and then returned to the grave of his master; but each day he was more sad, more meagre, more languishing, and it was evident that he was gradually reaching his end. An endeavour was made, by chaining him up, to wean him, but nature will triumph. He broke his fetters; escaped; returned to the grave, and never quitted it more. It was in vain that they tried to bring him back. They carried him food, but he ate no longer. For four and twenty hours he was seen employing his weakened limbs in digging up the earth that separated him from the remains of the being he had so much loved. Passion gave him strength, and he gradually approached the body; his labours of affection vehemently increased; his efforts became convulsive; he shrieked in his struggles; his faithful heart gave way, and he breathed out his last gasp, as if he knew that he had found his master.

AFFECTING REPROOF.

Among a pack of hounds kept by a gentleman in the middle of the last century, was a favourite bitch that he was very fond of, and which he used to suffer to come and lie in his parlour. This bitch had a litter of whelps, and the gentleman one day took them out

of the kennel, when the bitch was absent, and drowned them. Shortly afterwards she came into the kennel, and, missing her offspring, sought them most anxiously; at length she found them drowned in the pond. She then brought them one by one, and laid them at her master's feet in the parlour; and when she had brought the last whelp, she looked up in her master's face, laid herself down, and died.

COMEDY OF QUADRUPEDS.

In a play which Germanicus Cæsar exhibited at Rome, in the reign of Tiberius, there were twelve elephant performers, six males and six females, clothed as men and women. After they had, at the command of their keeper, danced and performed a thousand curious antics, a most sumptuous feast was served up for their refreshment. The table was covered with all sorts of dainties, and golden goblets filled with the most precious wines; and beds covered with purple carpets were placed around for the animals to lie upon, after the manner of the Romans when feasting. On these carpets the elephants laid themselves down, and at a given signal they reached out their trunks to the table, and fell to eating and drinking with as much propriety as if they had been as many honest citizens.

ELEPHANT ROPE DANCING.

The ease with which the elephant is taught to perform the most agile and difficult feats, forms a remarkable contrast to its huge unwieldiness of size. Aristotle tells us, that in ancient times, elephants were taught

by their keepers to throw stones at a mark, to cast up arms in the air, and catch them again on their fall; and to dance not merely on the earth, but on the rope. The first, according to Suetonius, who exhibited elephant rope dancers, was Galba at Rome. The manner of teaching them to dance on the ground, was simple enough (by the association of music and a hot floor); but we are not informed how they were taught to skip the rope, or whether it was the tight or the slack rope, or how high the rope might be. The silence of history on these points is fortunate for the figurantes of the present day; since, but for this, their fame might have been utterly eclipsed. Elephants may in the days of old Rome have been taught to dance on the rope, but when was an elephant ever known to skip on a rope over the heads of an audience, or to caper amidst a blaze of fire fifty feet aloft in the air? What would Aristotle have thought of his dancing elephants, if he had seen Madame Saqui?

DANCING ASS.

John Leo, in his "*Descriptio Africæ*," printed in the year 1556, relates an account of an ass, which, if true, proves that this animal is not so stupid and indocile as he is commonly represented. He says, "When the Mahommedan worship is over, the common people of Cairo resort to the part of the suburbs called Bed-Elloch, to see the exhibition of stage players, and mountebanks who teach camels, asses, and dogs, to dance. The dancing of the ass is diverting enough; for after he has frisked and capered about, his master tells him, that the Soldan meaning to build a great

palace, intends to employ all the asses in carrying mortar, stones, and other materials; upon which, the ass falls down with his heels upwards, closing his eyes, and extending his chest, as if he were dead. This done, the master begs some assistance of the company, to make up for the loss of the dead ass; and having got all he can, he gives them to know that truly his ass is not dead, but only being sensible of his master's necessity, played that trick to procure some provender. Then he commands the ass to rise, who still lies in the same posture, notwithstanding all the blows he can give him; till at last he proclaims, that by virtue of an edict by the Soldan, all the handsome ladies are bound to ride out the next day upon the comeliest asses they can find, in order to see a triumphal show, and to entertain their asses with oats and Nile water. These words are no sooner pronounced, than the ass starts up, prances, and leaps for joy. The master then declares that his ass has been pitched upon by the warden of his street, to carry his deformed and ugly wife; upon which the ass lowers his ears, and limps with one of his legs as if he were lame. Then the master, alleging that his ass admires handsome women, commands him to single out the prettiest lady in company; and accordingly he makes his choice by going round, and touching one of the prettiest with his head, to the great amusement of the company."

CANINE TRAGEDIAN.

"I, myself," says Plutarch, "saw a dog at Rome, whose master had taught him many pretty tricks, and amongst others the following. He soaked a piece of

bread in a certain drug, which was indeed somniferous, but which he would have made us believe was a deadly potion. The dog, as soon as he had swallowed it, affected to quake, tremble, and stagger, as if quite stupified. At length it fell down, seemed to breathe its last, and became stretched out in all the stiffness of death, suffering any person to pull it about or turn it over, without indicating the least symptom of life. The master was now lavish in his endeavours to restore the poor creature to life ; and after a short time, when it understood by a secret hint that its time for recovery was come, it began by little and little to revive, as if awaked from a dead sleep, slowly lifted up its head, and opening his eyes, gazed with a wild vacant stare on all around. In a few minutes it got upon its feet, shook itself as it were free from its enthrallment, and recognizing its master, ran merrily up to him. The whole of this scene was performed so naturally, that all who were present (among whom was the Emperor Vespasian,) were exceedingly delighted."

PROVIDENTIAL SAFE CONDUCT.

Frejus, in his "Relation of a Voyage made into Mauritania," translated into English, and printed in the year 1671, gives a singular anecdote of a lion, which he says was related to him in that country by very credible persons. About the year 1614 or 1615, two Christian slaves at Morocco made their escape, travelling by night, and hiding themselves in the tops of trees during the day, their Arab pursuers frequently passing by them. One night, while pursuing their

journey, they were much astonished and alarmed to see a great lion close by them, who walked when they walked, and stood still when they stood. Thinking this a safe conduct sent to them by Providence, they took courage, and travelled in the day time in company with the lion. The horsemen who had been sent in pursuit, came up, and would have seized upon them, but the lion interposed, and they were suffered to pass on. Every day these poor fugitives met with some one or other of the human race, who wanted to seize them, but the lion was their protector until they reached the sea coast in safety, when he left them.

THE DOG OF MONTARGIS.

The fame of an English dog has been deservedly transmitted to posterity by a monument in basso relievo, which still remains on the chimney-piece of the grand hall, at the Castle of Montargis in France. The sculpture, which represents a dog fighting with a champion, is explained by the following narrative.

Aubri de Mondidier, a gentleman of family and fortune, travelling alone through the Forest of Bondi, was murdered and buried under a tree. His dog, an English blood-hound, would not quit his master's grave for several days ; till at length, compelled by hunger, he proceeded to the house of an intimate friend of the unfortunate Aubri, at Paris, and by his melancholy howling, seemed desirous of expressing the loss they had both sustained. He repeated his cries, ran to the door, looked back to see if any one followed him, returned to his master's friend, pulled him by the

sleeve, and with dumb eloquence entreated him to go with him.

The singularity of all these actions of the dog, added to the circumstance of his coming there without his master, whose faithful companion he had always been, prompted the company to follow the animal, who conducted them to a tree, where he renewed his howl, scratching the earth with his feet, and significantly entreating them to search that particular spot. Accordingly, on digging, the body of the unhappy Aubri was found.

Some time after, the dog accidentally met the assassin, who is styled, by all the historians that relate this fact, the Chevalier Macaire; when instantly seizing him by the throat, he was with great difficulty compelled to quit his prey.

In short, whenever the dog saw the chevalier, he continued to pursue and attack him with equal fury. Such obstinate virulence in the animal, confined only to Macaire, appeared very extraordinary; especially to those who at once recollected the dog's remarkable attachment to his master, and several instances in which Macaire's envy and hatred to Aubri de Mon-didier, had been conspicuous.

Additional circumstances created suspicion; and at length the affair reached the royal ear. The king (Louis VIII.) accordingly sent for the dog, who appeared extremely gentle, till he perceived Macaire in the midst of several noblemen, when he ran fiercely towards him, growling at and attacking him as usual.

The king, struck with such a collection of circumstantial evidence against Macaire, determined to refer the decision to the chance of battle; in other words,

he gave orders for a combat between the chevalier and the dog. The lists were appointed in the Isle of Notre Dame, then an unenclosed, uninhabited place, and Macaire was allowed for his weapon a great cudgel.

An empty cask was given to the dog as a place of retreat, to enable him to recover breath. Every thing being prepared, the dog no sooner found himself at liberty, than he ran round his adversary, avoiding his blows, and menacing him on every side, till his strength was exhausted ; then springing forward, he griped him by the throat, threw him on the ground, and obliged him to confess his guilt, in the presence of the king and the whole court. In consequence of this, the chevalier, after a few days, was convicted upon his own acknowledgment, and beheaded on a scaffold in the Isle of Notre Dame.

The above recital is translated from "*Memoires sur les Duels*," and is cited by many critical writers, particularly Julius Scaliger, and Montfaucon, who has given an engraved representation of the combat between the dog and the chevalier.

WRENS LEARNING TO SING.

A wren built her nest in a box, so situated, that a family had an opportunity of observing the mother-bird instructing the young ones in the art of singing peculiar to the species. She fixed herself on one side of the opening in the box, directly before her young, and began by singing over her whole song very distinctly. One of the young then attempted to imitate her. After proceeding through a few notes, its voice broke, and it lost the tune. The mother immediately

recommenced where the young one had failed, and went very distinctly through with the remainder. The young bird made a second attempt, commencing where it had ceased before, and continuing the song as long as it was able; and when the note was again lost, the mother began anew where it stopped, and completed it. Then the young one resumed the tune, and finished it. This done, the mother sang over the whole series of notes a second time with great precision; and a second of the young attempted to follow her. The wren pursued the same course with this as with the first; and so with the third and fourth. It sometimes happened that the young one would lose the tune three, four, or more times in the same attempt; in which case the mother uniformly began where they ceased, and sung the remaining notes; and when each had completed the trial, she repeated the whole strain. Sometimes two of the young commenced together. The mother observed the same conduct towards them, as when one sang alone. This was repeated day after day, and several times in a day.

NEST BUILDING.

Most of the small birds of Southern Africa (says Mr. Barrow) construct their nests in such a manner, that they can be entered only by one small orifice, and many suspend them from the slender extremities of high branches. A species of loxia, or gross-beak, always hangs its nest on a branch extending over a river or pool of water. It is shaped exactly like a chemist's retort; is suspended from the head, and the

shank of eight or nine inches long, at the bottom of which is the aperture, almost touches the water. It is made of green grass firmly put together, and curiously woven. Another small bird, the *Parus Capensis*, or Cape Titmouse, constructs its nest of the pappus, or down of a species of asclepias. This nest is made of the texture of flannel, and the finest fleecy hosiery is not more soft. Near the upper end projects a small tube about an inch in length, with an orifice about three fourths of an inch in diameter. Immediately under the tube is a small hole in the side, that has no communication with the interior part of the nest; in this hole the male sits at night, and thus they are both screened from the weather. The sparrow in Africa hedges round its nest with thorns; and even the swallow under the eaves of houses, or in the rifts of rocks, makes a tube to its nest of six or seven inches in length. The same kind of birds in Northern Europe, having nothing to apprehend from monkeys, snakes, and other noxious animals, construct open nests.

DOG AND GOOSE.

A Canadian goose, kept at East Barnet, in Hertfordshire, a few years ago, was observed to attach itself in the strongest and most affectionate manner to the house dog, but never presumed to go into the kennel except in rainy weather; whenever the dog barked, the goose would cackle, and run at the person she supposed the dog barked at, and try to bite him by the heels. Sometimes she would attempt to feed with the dog; but this the dog, who treated his faithful

companion with indifference, would not suffer. This bird would not go to roost with the others at night, unless driven by main force; and when in the morning they were turned into the field, she would never stir from the yard gate, but sit there the whole day in sight of the dog. At length orders were given that she should no longer be molested; being thus left to herself, she ran about the yard with him all night, and what is particularly remarkable, whenever the dog went out of the yard and ran into the village, the goose always accompanied him, contriving to keep up with him by the assistance of her wings, and in this way of running and flying, followed him all over the parish. This extraordinary affection of the goose towards the dog, which continued till his death, two years after it was first observed, is supposed to have originated in his having saved her from a fox, in the very moment of distress.

While the dog was ill, the goose never quitted him, day or night, not even to feed; and it was apprehended that she would have been starved to death, had not a pan of corn been set every day close to the kennel. At this time, the goose generally sat in the kennel, and would not suffer any one to approach it, except the person who brought the dog's, or her own food. The end of this faithful bird was melancholy; for when the dog died, she would still keep possession of the kennel; and a new house dog being introduced, which in size and colour resembled that lately lost, the poor goose was unhappily deceived, and going into the kennel as usual, the new inhabitant seized her by the throat, and killed her.

CALCULATING CROW.

A scotch newspaper of the year 1816, states that a carrion crow, perceiving a brood of fourteen chickens under the care of a parent-hen, on a lawn, picked up one; but on a young lady opening the window and giving an alarm, the robber dropped his prey. In the course of the day, however, the plunderer returned, accompanied by thirteen other crows, when every one seized his bird, and carried off the whole brood at once.

CANINE SHEEP-STEALER.

A shepherd, who was hanged for sheep stealing about forty years ago, used to commit his depredations by means of his dog. When he intended to steal any sheep, he detached the dog to perform the business. With this view, under pretence of looking at the sheep, with an intention to purchase them, he went through the flock with the dog at his foot, to whom he secretly gave a signal, so as to let him know the particular sheep he wanted, perhaps to the number of ten or twelve, out of a flock of some hundreds; he then went away, and from a distance of several miles, sent back the dog by himself in the night time, who picked out the individual sheep that had been pointed out to him, separated them from the flock, and drove them before him, frequently a distance of ten or twelve miles, till he came up with his master, to whom he delivered up his charge.

CANINE SMUGGLERS.

In the Netherlands, they use dogs of a very large and strong breed, for the purpose of draught. They are harnessed like horses, and chiefly employed in drawing little carts with fish, vegetables, &c. to market. Previous to the year 1795, such dogs were also employed in smuggling; which was the more easy, as they are exceedingly docile. The dogs were trained to go backwards and forwards between two places on the frontiers, without any person to attend them. Being loaded with little parcels of goods, lace, &c. like mules, they set out at midnight, and only went when it was perfectly dark. An excellent quick-scented dog always went some paces before the others, stretched out his nose towards all quarters, and when he scented custom-house officers, &c. turned back, which was the signal for immediate flight. Concealed behind bushes in ditches, &c. the dogs waited till all was safe, then proceeded on their journey, and reached at last beyond the frontier the dwelling house of the receiver of the goods, who was in the secret. But here, also, the leading dog only at first shewed himself; on a certain whistle, which was a signal that all was right, they all hastened up. They were then unloaded, taken to a convenient stable, where there was a good layer of hay, and well fed. There they rested until midnight, and then returned in the same manner back, over the frontiers.

OLD FRATERNITY.

A gentleman travelling through Mecklenburg about thirty years ago, was witness to the following curious circumstance in the post house at New Stargard. After dinner, the landlord placed on the floor a large dish of soup, and gave a loud whistle. Immediately there came into the room a mastiff, a fine Angora cat, an old raven, and a remarkable large rat with a bell about its neck. These four animals went to the dish, and without disturbing each other, fed together; after which the dog, cat, and rat, lay before the fire, while the raven hopped about the room.

MOUSE OF HUSAFELL.

The mouse which has given to Husafell, in Jutland, a celebrity which it might not have otherwise possessed, is supposed by Alafsen and Porelsen to be a variation of the wood or economical mouse. In a country, says Mr. Pennant, where berries are but thinly dispersed, these little animals are obliged to cross rivers to make their distant forages. In returning with their booty to their magazines, they are obliged to recross the stream; of the mode of doing which, Mr. Alafsen gives the following account:---“The party, which consists of from six to ten, select a piece of dried cow dung, on which they place the berries on a heap in the middle; then, by their united force, bring it to the water’s edge, and after launching it, embark, and place themselves round the heap, with their heads joined over it, and their backs to the water, their

tails pendent in the stream, serving the purpose of rudders."

Some doubts having been entertained as to the truth of this *mosaic* mode of navigation, a recent traveller in Jutland made a particular point of inquiring of different individuals as to the fact, and the confirmation which he furnishes is most clear and explicit. "It is now," he says, "established as an important fact in natural history, by the testimony of two eye-witnesses of unquestionable veracity, the clergyman of Briamslok, and Madame Benedictson of Skikesholm; both of whom assured me that they had seen the expedition repeatedly. Madame B. in particular, recollected having spent a whole afternoon, in her younger days, at the margin of a small lake, on which these navigators had embarked, and amused herself and her companions by driving them away from the side of the lake as they approached them."

GENEROUS REVENGE.

A young man, desirous of getting rid of his dog, took it along with him to the Seine. He hired a boat, and rowing into the stream, threw the animal in. The poor creature attempted to climb up the side of the boat, but his master, whose intention was to drown him, constantly pushed him back with the oar. In doing this, he fell himself into the water, and would certainly have been drowned, had not the dog, as soon as he saw his master struggling in the stream, suffered the boat to float away, and held him above water till assistance arrived, and his life was saved.

BEAR AND CHILD.

Leopold, Duke of Lorraine, had a bear called Marco, of the sagacity and sensibility of which we have the following remarkable instance. During the winter of 1709, a Savoyard boy, ready to perish with cold in a barn, in which he had been put by a good woman, with some more of his companions, thought proper to enter Marco's hut, without reflecting on the danger which he ran in exposing himself to the mercy of the animal which occupied it. Marco, however, instead of doing any injury to the child, took him between his paws, and warmed him by pressing him to his breast until the next morning, when he suffered him to depart to ramble about the city. The Savoyard returned in the evening to the hut, and was received with the same affection. For several days he had no other retreat, and it added not a little to his joy, to perceive that the bear regularly reserved part of his food for him. A number of days passed in this manner without the servants knowing any thing of the circumstance. At length, when one of them came one day to bring the bear his supper, rather later than ordinary, he was astonished to see the animal roll his eyes in a furious manner, and seeming as if he wished him to make as little noise as possible, for fear of awaking the child, whom he clasped to his breast. The animal, though ravenous, did not appear the least moved with the food which was placed before him. The report of this extraordinary circumstance was soon spread at court, and reached the ears of Leopold; who, with part of his courtiers, was desirous of being satisfied of the truth

of Marco's generosity. Several of them passed the night near his hut, and beheld with astonishment that the bear never stirred as long as his guest shewed an inclination to sleep. At break of day, the child awoke, was very much ashamed to find himself discovered, and fearing that he would be punished for his rashness, begged pardon. The bear however caressed him, and endeavoured to prevail on him to eat what had been brought to him the evening before, which he did at the request of the spectators, who conducted him to the prince. Having learned the whole history of this singular alliance, and the time which it had continued, Leopold ordered care to be taken of the little Savoyard, who would doubtless have soon made his fortune, had he not died a short time after.

ARE BEASTS MERE MACHINES?

Dr. Arnaud d'Antilli one day talking with the Duke de Liancourt upon the new philosophy of M. Descartes, maintained that beasts were mere machines, and had no sort of reason to direct them; and that when they cried or made a noise, it was only one of the wheels of the clock or machine that made it. The duke, who was of a different opinion, replied, "I have now in my kitchen two turnspits, who take their turns regularly every other day to get into the wheel; one of them, not liking his employment, hid himself on the day that he should work, so that his companion was forced to mount the wheel in his stead, but crying and wagging his tail, he made a sign for those in attendance to follow him. He immediately conducted

them to a garret, where he dislodged the idle dog, and killed him immediately."

SHREWD GUESSER.

A French officer, more remarkable for his birth and spirit than his wealth, had served the Venetian republic for some years with great valour and fidelity, but had not met with that preferment which he merited. One day he waited on a nobleman whom he had often solicited in vain, but on whose friendship he had still some reliance. The reception he met with was cool and mortifying; the nobleman turned his back upon the necessitous veteran, and left him to find his way to the street through a suit of apartments magnificently furnished. He passed them lost in thought; till, casting his eyes on a sumptuous sideboard, where a valuable collection of Venetian glass, polished and formed in the highest degree of perfection, stood on a damask cloth as a preparation for a splendid entertainment, he took hold of a corner of the linen, and turning to a faithful English mastiff which always accompanied him, said to the animal, in a kind of absence of mind, "Here, my poor old friend; you see how these haughty tyrants indulge themselves, and yet how we are treated!" The poor dog looked his master in the face, and gave tokens that he understood him. The master walked on, but the mastiff slackened his pace, and laying hold of the damask cloth with his teeth, at one hearty pull brought all the glass on the sideboard in shivers to the ground, thus depriving the insolent noble of his favourite exhibition of splendour.

NEWFOUNDLAND DOG.

One of the magistrates in Harbour Grace, in Newfoundland, had an old dog of the regular web-footed species peculiar to this island, who was in the habit of carrying a lantern before his master at night, as steadily as the most attentive servant could do, stopping short when his master made a stop, and proceeding when he saw him disposed to follow. If his master was absent from home, on the lantern being fixed to his mouth, and the command given, "Go fetch thy master," he would immediately set off, and proceed directly to the town, which lay at the distance of more than a mile from the place of his master's residence: he would then stop at the door of every house which he knew his master was in the habit of frequenting, and laying down his lantern, growl and strike the door, making all the noise in his power until it was opened; if his master was not there, he would proceed farther in the same manner, until he had found him. If he had accompanied him only once into a house, this was sufficient to induce him to take that house in his round.

THE CAPE SWALLOW.

Captain Carmichael, an active and intelligent observer, relates the following fact respecting the natural history of the swallow. Swallows are birds of passage at the southern extremities of Africa, as well as in Europe. They return to the Cape of Good Hope in the month of September, and quit it again in

March and April. Captain Carmichael happening to be stationed for some time at the eastern extremity of the colony, a pair of the *hirundo Capensis*, soon after their arrival, built their nest on the outside of the house wherein he lodged, fixing it against the angle formed by the wall, with the board which supported the eaves. The whole of this nest was covered in, and it was furnished with a long neck or passage, through which the birds entered and came out. It resembled a longitudinal section of a Florence oil flask. This nest having fallen down after the young birds had quitted it, the same pair, as he is disposed to believe, built again on the old foundation in the month of February following; but he remarked on this occasion an improvement in the construction of it, which can hardly be referred to the dictates of mere instinct. In building the first, the birds were satisfied with a single opening, but this one was furnished with an opening on each side; and on watching their motions, he observed, that they invariably entered at one side, and went out at the other. One object obtained by this improvement, was saving themselves the trouble of turning in the nest, and thus avoiding any derangement of its interior economy. But the chief object appeared to be, to facilitate their escape from the attacks of serpents, which harbour in the roofs of thatched houses, or crawl up along the walls, and not unfrequently devour both the mother and her young.

REMORSE.

A few years ago an elephant at Dekan, from some motive of revenge, killed his *cornack*, or conductor. The man's wife, who beheld the dreadful scene, took her two children, and threw them at the feet of the enraged animal, saying, "Since you have slain my husband, take my life also, as well as that of my children." The elephant instantly stopped, relented, and as if stung with remorse, took up the eldest boy with his trunk, placed him on its neck, adopted him for his *cornack*, and would never afterwards allow any other person to mount it.

CHOICE RETALIATION.

A tame elephant, kept by a merchant at Bencoolen, was suffered to go at large. The animal used to walk about the streets in as quiet and familiar a manner as any of the inhabitants; and delighted much in visiting the shops, particularly those which sold herbs and fruit, where he was well received, except by a couple of brutal cobblers, who, without any cause, took offence at the generous creature, and once or twice attempted to wound his proboscis with their awls. The noble animal, who knew it was beneath him to crush them, did not disdain to chastise them by other means. He filled his large trunk with a considerable quantity of water, not of the cleanest quality, and advancing to them as usual, covered them at once with a dirty flood. The fools were laughed at, and the punishment applauded.

LEARNED DOG.

The celebrated Leibnitz relates an account of a dog who was taught to speak, and could call in an intelligible manner for tea, coffee, chocolate, &c.

The dog was of a middling size, and the property of a peasant in Saxony. A little boy, the peasant's son, imagined that he perceived in the dog's voice an indistinct resemblance to certain words, and was therefore determined to teach him to speak distinctly. For this purpose he spared neither time nor pains with his pupil, who was about three years old when his learned education commenced ; and at length he made such progress in language, as to be able to articulate no less than thirty words. It appears, however, that he was somewhat of a truant, and did not very willingly exert his talents, being rather pressed into the service of literature, and it was necessary that the words should be first pronounced to him each time before he spoke. The French academicians who mention this anecdote, add, that unless they had received the testimony of so great a man as Leibnitz, they should scarcely have dared to relate the circumstance.

HORSE AND GREYHOUND.

Various have been the opinions upon the difference of speed between a well-bred greyhound and a race horse, if opposed to each other. Wishes had been frequently indulged by the sporting world, that some criterion could be adopted by which the supe-

riority of speed could be fairly ascertained, when the following circumstance accidentally took place, and afforded some information upon what had been previously considered a matter of great uncertainty. In the month of December, 1800, a match was to have been run over Doncaster race-course for one hundred guineas ; but one of the horses having been drawn, a mare started alone, that by running the ground she might ensure the wager ; when having run about one mile in the four, she was accompanied by a greyhound bitch, which joined her from the side of the course, and emulatively entering into the competition, continued to race with the mare for the other three miles, keeping nearly head and head, and affording an excellent treat to the field by the energetic exertions of each. At passing the distance post, five to four was betted in favour of the greyhound ; when parallel with the stand, it was even betting, and any person might have taken his choice from five to ten ; the mare, however, had the advantage by a head at the termination of the course.

THE GOAT.

A gentleman who had taken an active share in the rebellion of 1715, after the battle of Preston, escaped into the West Highlands, where a lady, a near relative, afforded him an asylum. A faithful servant conducted him to the mouth of a cave, and furnished him with an abundant store of provisions. The fugitive crept in at a low aperture, dragging his stores along. When he reached a wider and loftier expanse, he found some obstacle before him. He

drew his dirk, but unwilling to strike, lest he might take the life of a companion in seclusion, he stooped down, and discovered a goat with her kid stretched on the ground. He soon perceived that the animal was in great pain, and, feeling her body and limbs, ascertained that her leg was fractured. He bound it up with his garter, and offered her a share of the bread beside him; but she stretched out her tongue, as if to apprise him that her mouth was parched with thirst. He gave her water, which she took readily, and then ate some bread. After midnight he ventured out of the cave: all was still. He plucked an armful of grass, and cut tender twigs, which the goat accepted with manifestations of joy and thankfulness. The prisoner derived much comfort in having a living creature in this dungeon, and he caressed and fed her tenderly. The man who was entrusted to bring him supplies, fell sick; and when another attempted to penetrate into the cavern, the goat furiously opposed him, presenting her horns in all directions, till the fugitive, hearing a disturbance, came forward. This new attendant giving the watchword, removed every doubt of his good intentions, and the amazon of the recess obeyed her benefactor in permitting him to advance. The gentleman was convinced, that had a band of military attacked the cavern, his grateful patient would have died in his defence.

The devices of the goat to hide her young from the fox, are very remarkable. She discerns her enemy at great distance, conceals her treasure in a thicket, and boldly intercepts the formidable marauder. He seldom fails to approach the place where the kid

is crouching ; but the dam, with her horns, receives him at all points, and never yields till spent with fatigue and agitation. If a high crag, or stone, should be near when she descries the fox, she mounts upon it, taking her young one under her body. The fox goes round and round, to catch an opportunity for making a spring at the little trembler, and there have been instances of his seizing it ; but the goat thrusts her horns into his flank with such force, as to be often unable to withdraw them, and all three have frequently been found dead at the bottom of the precipice. It is a singular fact, that the goats know their progeny to several generations, and each tribe herds together on the hills, or reposes in the cot in separate parties.

CHILD SAVED.

A shepherd who inhabited one of those valleys or glens which intersect the Grampian mountains, in one of his excursions to look after his flock, happened to carry along with him one of his children, an infant of three years old. This is not an unusual practice among the Highlanders, who accustom their children from their earliest infancy to endure the rigours of the climate. After traversing his pastures for some time, attended by his dog, the shepherd found himself under the necessity of ascending a summit at some distance, to have a more extensive view of his range. As the ascent was too fatiguing for the child, he left him on a small plain at the bottom, with strict injunctions not to stir from it till his return. Scarcely, however, had he gained the summit, when the horizon

was darkened by one of those impenetrable mists which frequently descend so rapidly amidst these mountains, as, in the space of a few minutes, almost to turn day to night. The anxious father instantly hastened back to find his child ; but owing to the unusual darkness, and his own trepidation, he unfortunately missed his way in the descent. After a fruitless search of many hours, he discovered that he had reached the bottom of the valley, and was near his own cottage. To renew the search that night, was equally fruitless and dangerous ; he was therefore compelled to go home, although he had lost both his child and his dog, who had attended him faithfully for many years. Next morning, by break of day, the shepherd, accompanied by a band of his neighbours, set out in search of his child ; but after a day spent in fruitless fatigue, he was at last compelled by the approach of night to descend from the mountain. On returning to his cottage, he found that the dog which he had lost the day before, had been home, and on receiving a piece of cake, had instantly gone off again. For several successive days the shepherd renewed the search for his child, and still, on returning home disappointed in the evening, he found that the dog had been home, and, on receiving his usual allowance of cake, had instantly disappeared. Struck with this singular circumstance, he remained at home one day ; and when the dog, as usual, departed with his piece of cake, he resolved to follow him, and find out the cause of this strange procedure. The dog led the way to a cataract at some distance from the spot, where the shepherd had left his child. The banks of the cataract almost joined at the top,

yet separated by an abyss of immense depth, presented that appearance which so often astonishes and appals the travellers that frequent the Grampian mountains. Down one of those rugged, and almost perpendicular descents, the dog began, without hesitation, to make his way, and at last disappeared by entering into a cave, the mouth of which was almost level with the torrent. The shepherd with difficulty followed ; but, on entering the cave, what were his emotions, when he beheld his infant eating with much satisfaction the cake which the dog had just brought him ; while the faithful animal stood by, eyeing his young charge with the utmost complacency ! From the situation in which the child was found, it appeared that he had wandered to the brink of the precipice, and then either fallen or scrambled down till he reached the cave. The dog by means of his scent had traced him to the spot ; and afterwards prevented him from starving, by giving up to him his own daily allowance. He appears never to have quitted the child by night or day, except when it was necessary to go for food ; and then he was always seen running at full speed to and from the cottage.

SPIDERS THE BEST BAROMETERS.

In the commotions which took place in Holland, when the Stadtholder was reinstated by the Prussian arms, M. Quatremère D'Isjonval, a Frenchman, was arrested and imprisoned at Utrecht, where he spent upwards of seven years, deprived of his liberty. To amuse himself during this long confinement, he

courted the acquaintance of spiders, studied their constitution and temperament, and, after a long series of accurate observations, he made the important discovery, that they were the most weather-wise of all creatures. Their *presentiment* of approaching changes is incomparably more refined and certain than the variations indicated by the best barometers, thermometers, and hygrometers. A weather-glass points out only the probable state of the weather for the next day; but with respect to a permanent or long continued state of the atmosphere, this instrument cannot be relied upon. Spiders, however, have not only an obvious sensation of the approaching changes of the weather, similar to that manifested by a barometer, but they also indicate, with the greatest exactness, the more distant changes for a considerable length of time; nay, they foretel with precision, for a period of ten days or a fortnight, those states of the atmosphere which are of a settled nature. Of this M. D'Isjonval was enabled, in the end, to furnish a most striking proof.

On Wednesday, the 16th of January, 1795, the wind changed to the northward; on Thursday it began to freeze, and the frost increased to such a degree, that the French were enabled to enter Utrecht, and to release their imprisoned countryman, M. D'Isjonval: but on the 20th January, an unexpected thaw threatened to frustrate the design of the invaders, who had advanced with all their heavy artillery, accompanied by an army of one hundred thousand men, to pass the icy bridges which nature had apparently constructed for facilitating their hostile operations. The French generals were filled with

apprehensions, and began to think of the necessity of retreating, when M. D'Isjonval having consulted his meteorological assistants---the spiders, went and told his countrymen that they had no cause for the least alarm, for that in a day or two the frost would return with greater intensity than had been known in Holland for ages. The prediction was fully verified. The very next day the frost re-commenced, with almost unequalled severity ; and Holland, no longer able to avail itself of its pent-up floods, became an easy prey to the revolutionizing republicans.

The manner in which spiders carry on their operations, conformably to the impending changes of the atmosphere, is simply this : If the weather is likely to become rainy, windy, or in other respects disagreeable, they fix the terminating filaments, on which the whole web is suspended, unusually short ; and in this state they await the influence of a temperature which is remarkably variable. On the contrary, if the terminating filaments are made uncommonly long, we may, in proportion to their length, conclude that the weather will be serene, and continue so at least for ten or twelve days. But if the spiders be totally indolent, rain generally succeeds ; though, on the other hand, their inactivity during rain is the most certain proof that it will be only of short duration, and followed with fair and very constant weather. According to further observations, the spiders regularly make some alteration in their webs or nets every twenty-four hours ; if these changes take place between the hours of six and seven in the evening, they indicate a clear and pleasant night.

CONCERTS OF ANIMALS.

The abbot of Baigne, a man of wit, and skilled in the construction of new musical instruments, was ordered by Louis XI. King of France, more in jest than in earnest, to procure him a concert of swines' voices. The abbot said that the thing could doubtless be done, but that it would take a good deal of money. The king ordered that he should have whatever he required for the purpose. The abbot, says Bayle, then "wrought a thing as singular as ever was seen. For out of a great number of hogs of several ages which he got together, and placed under a tent, or pavilion, covered with velvet, before which he had a table of wood painted, with a certain number of keys, he made an organical instrument, and as he played upon the said keys with little spikes, which pricked the hogs, he made them cry in such order and consonance, he highly delighted the king and all his company."

The French Encyclopedia, article *chant*, concisely narrates the history of a whimsical procession which was displayed at Brussels in 1549. A part of the show consisted of a car, in which was an organ played on by a bear. Instead of pipes, this instrument contained a collection of cats, each confined separately in a kind of narrow case, so that they could not move, but their tails were held upright, and attached to the jacks in such a manner, that when the bear touched the keys, he pulled the tails of the parties enclosed, and produced a most mellifluous mewing and wailing, in the C cliff we suppose, treble, counter-tenor, and

tenor ; the organist himself, perhaps, being invited by the same machinery, utters a bass accompaniment.

Some years ago there was exhibited at Paris, an instrument constructed on a similar principle. The number of performers was about a dozen ; and by means of keys well touched, their powers were exerted *con spirito, et furiosa*, for the delight of their auditory. The happy arrangement of their tones had the most fascinating effect on the ear ; and a *crescendo* was delightful ! All the world---or what is exactly the same thing---all Paris, went to hear this wonderful multi-vocal organ ; this uncommon combination of pipes. All Paris was *enchantée hors de raison* : and every beau and belle thought, talked, and dreamed of nothing but---of cat-harmony. Unhappily, a favourite singer at the opera was taken ill, and while labouring under a complaint in the lungs, a subscription for his support was proposed and countenanced by " the fashion." The cat-organist taking the hint, at the close of his concert, passing his hat round among his audience, " announced with great sorrow that one of his most eminent performers was sorely afflicted with a catarrh, and stood in great need of an additional supply of meat to save his life." The joke was reported to the police ; the police---as " they manage these things better in France,"---thought no joke could equal a true joke ; so the wit was sent to prison, to ruminate on his witticism, and the current of Parisianism being turned ere he obtained his release, he found that the attractions of his vocal and instrumental organization had ceased, and that his cats could produce him no more than the value of their skins.

WAGER QUEERLY LOST.

In the year 1765, one Carr, a waterman, having laid a wager that he and his dog would both leap from the centre arch of Westminster bridge, and land at Lambeth within a minute of each other; he jumped off first, and the dog immediately followed; but not being in the secret, and fearing his master should be drowned, he laid hold of him by the neck and dragged him on shore, to the no small diversion of the spectators.

TRAVELLERS.

An innkeeper at Astley Chapel once sent, as a present by the carrier, to a friend at Warrington, a dog and cat tied up in a bag, who had been companions more than ten months. A short time after, the dog and cat took their departure from Warrington together, and returned to their old habitation, a distance of thirteen miles. They jogged along the road side by side, and on one occasion, the dog gallantly defended his fellow-traveller from the attack of another dog they met.

In the summer of 1766, an officer of the army having gone from Newcastle for Derby, on a recruiting party, took his dog with him; and on leaving Derby, on the 16th of August, the dog was left behind. The creature missing his master, set out for Newcastle, where he arrived on the 18th, being less than forty-six hours in travelling an unknown way of one hundred and eighty miles!!

M. D'Obsonville had a dog which he had brought up in India from two months old: and having to go with a friend from Pondicherry to Benglour, a distance of more than three hundred leagues, he took the animal along with him. "Our journey," says M. D'O. "occupied nearly three weeks, and we had to traverse plains and mountains, and to ford rivers and go along bye paths. The animal, which had certainly never been in that country before, lost us at Benglour, and immediately returned to Pondicherry. He went directly to the house of M. Beglier, then commandant of artillery, my friend, and with whom I had generally lived. Now the difficulty is not so much to know how the dog subsisted on the road, (for he was very strong, and able to procure himself food) but how he should so well have found his way, after an interval of more than a month! This was an effort of memory greatly superior to that which the human race is capable of exerting."

WATCH DOG.

A thief, who had broke into the shop of Cellini, the Florentine artist, and was breaking open the caskets, in order to come at some jewels, was arrested in his progress by a dog, against whom he found it a difficult matter to defend himself with a sword. The faithful animal ran to the room where the journey-men slept; but as they did not seem to hear him barking, he drew away the bed clothes, and pulling them alternately by the arms, forcibly awaked them; then barking very loud, he shewed the way to

the thieves, and went on before ; but the men would not follow him, and at last locked their door. The dog having lost all hopes of the assistance of these men, undertook the task alone, and ran down stairs ; he could not find the villain in the shop, but immediately rushing into the street, came up with him, and tearing off his cloak, would have treated him according to his deserts, if the fellow had not called to some tailors in the neighbourhood, and begged they would assist him against a mad dog ; the tailors believing him, came to his assistance, and compelled the poor animal to retire.

SINGULAR INTERPOSITION.

A lady had a tame bird which she was in the habit of letting out of its cage every day. One morning as it was picking crumbs of bread off the carpet, her cat, who always before shewed great kindness for the bird, seized it on a sudden, and jumped with it in her mouth upon a table. The lady was much alarmed for the fate of her favourite, but on turning about, instantly discerned the cause. The door had been left open, and a strange cat had just come into the room ! After turning it out, her own cat came down from her place of safety, and dropped the bird without having done it the smallest injury.

CRUEL PARTING.

When Charles V. failed in his attempt on Algiers in 1541, his fleet, and the troops which were embarked on board the ships, suffered the most dreadful

hardships. The officers were obliged to throw overboard all their clothes, baggage, and valuables; but nothing distressed them so much as the parting with their horses, which were in general fine Spanish and Neapolitan genets and coursers, "so well chosen," says Brantome, "so gallant spirited, and so highly prized, that there was not a heart which could defend itself from feeling anguish and the deepest pity at seeing these fine horses struggling in vain to save themselves by swimming through the raging ocean. And the more distressful was the sight, as the poor animals despairing to reach the land, it being so far off, followed with their utmost powers, as long as their strength lasted, the ship and their masters, who stood on the decks, piteously lamenting the fate of these noble creatures, whom they saw perish before their eyes."

SECRET ESCORT.

A gentleman returning to town from Newington Green, where he had been on a visit to a friend, was stopped by a footpad armed with a thick bludgeon, who demanded his money, saying he was in great distress. The gentleman gave him a shilling; but this did not satisfy the fellow, who immediately attempted to strike him with his bludgeon; when, to the surprise of the gentleman, the villain's arm was suddenly arrested by a spaniel dog, who seized him fast. The fellow with some difficulty extricated himself from his enemy, and made his escape. The dog belonged to the gentleman's friend where he had dined, and had followed him unperceived; the

faithful creature guarded him home, and then made the best of its way back to its master.

LONG LOST FOUND AGAIN.

A female elephant belonging to a gentleman at Calcutta, being ordered from the upper country to Chotygoné, broke loose from her keeper, and was lost in the woods. The excuses which the keeper made were not admitted. It was supposed that he had sold the elephant; his wife and family therefore were sold for slaves, and he was himself condemned to work upon the roads. About twelve years after, this man was ordered into the country to assist in catching wild elephants. The keeper fancied he saw his long-lost elephant in a group that was before them. He was determined to go up to it; nor could the strongest representations of the danger dissuade him from his purpose. When he approached the creature, she knew him, and giving him three salutes, by waving her trunk in the air, knelt down and received him on her back. She afterwards assisted in securing the other elephants, and likewise brought with her three young ones, which she had produced during her absence. The keeper recovered his character; and, as a recompense for his sufferings and intrepidity, had an annuity settled on him for life. This elephant was afterwards in the possession of Governor Hastings.

FRIEND IN NEED.

As a gentleman of the name of Irvine was walking across the Dee when it was frozen, the ice gave way in the middle of the river, and down he sunk, but kept himself from being carried away in the current by grasping his gun, which had fallen across the opening. A dog who attended him, after many fruitless attempts to rescue his master, ran to a neighbouring village, and took hold of the coat of the first person he met. The man was alarmed, and would have disengaged himself; but the dog regarded him with a look so kind and significant, and endeavoured to pull him along with so gentle a violence, that he began to think there might be something extraordinary in the case, and suffered himself to be conducted by the animal, who brought him to his master just in time to save his life.

BEE CHARMER.

Mr. Wildman of Plymouth, who rendered himself famous in the West of England for his command over bees, being in London in 1766, visited Dr. Templeman, Secretary to the Society of Arts, in his bee dress. He went in a chair, with his head and face covered with bees, and a most venerable beard of them hanging from his chin. The gentlemen and ladies assembled were soon convinced that they had no occasion to be afraid of the bees, and therefore went up familiarly to Mr. Wildman, and conversed with him. After having remained some time, he gave

orders to the bees to retire to their hive, and this they did instantly.

TAME COLONY.

Captain D. Carmichael, in a description of the Island of Tristan D'Acunha, communicated to the Linnæan Society, states that the animals found on this solitary spot were so tame, that it was necessary to clear a path through the birds which were reposing on the rocks, by kicking them aside. One species of seal did not move at all when struck or pelted, and at length some of the company amused themselves by mounting them, and riding them into the sea !

FILIAL DUTY.

Mr. Purdew, surgeon's mate on board the Lancaster, in 1757, relates, that while lying one evening awake, he saw a rat come into his birth, and after well surveying the place, retreat with the greatest caution and silence. Soon after it returned, leading by the ear another rat, which it left at a small distance from the hole which they entered. A third rat joined this kind conductor ; they then foraged about, and picked up all the small scraps of biscuit ; these they carried to the second rat, which seemed blind, and remained in the spot where they had left it, nibbling such fare as its dutiful providers, whom Mr. Purdew supposes were its offspring, brought to it from the more remote parts of the floor.

CUNNING AS A FOX.

At a fox chase in Galloway, in the autumn of 1819, a very strong fox was closely pressed by the hounds; perceiving his danger, he made for a high wall at a short distance, and springing over, crept close under it on the other side; the hounds followed him, but no sooner had they leaped the wall, than Reynard sprang back again over it; and having thus ingeniously given his pursuers the slip, got safely away.

An American gentleman, a Mr. Hawkins, of Pittsfield, was in pursuit of foxes, accompanied by two blood-hounds; the dogs were soon in scent, and pursued a fox nearly two hours, when suddenly they appeared at fault. Mr. H. came up with them near a large log lying upon the ground, and felt much surprise to find them taking a circuit of a few rods without an object, every trace of the game seeming to have been lost, while they kept still yelping. On looking about him, he discovered sly Reynard stretched upon the log, apparently lifeless. Mr. H. made several efforts to direct the attention of his dogs towards the fox, but failed; at length he approached so near the artful object of his pursuit as to see him breathe. Even then no alarm was exhibited; and Mr. H. seizing a club, aimed a blow at him, which Reynard evaded by a leap from his singular lurking place, having thus for a time effectually eluded his rapacious pursuers.

THE PORCUPINE.

All authors before Buffon assert, that the "fretful porcupine," when irritated, darts his quills to a considerable distance against the enemy, and that he will thus kill very large animals. This Buffon thinks a mistake, as he had repeatedly irritated the porcupine without producing any other effect than that of some loose quills being shaken off. But Buffon's experiments were made on the Italian porcupine, an inferior species, with small and short bristles; and the evidence of subsequent writers completely establishes, that with respect to the Indian porcupine, the statement of the old naturalists is quite correct. A British officer who had served in India, in an account of the climate and diversions in the Northern parts of British India, (*Philosophical Magazine*, vol. 42, p. 285) gives us the following account of an instance of the kind, of which he was an eye-witness. "Being one moonlight night with a party, in search of porcupines with dogs, we had not been long out ere we discovered a hole inhabited by those quadrupeds. A dog was immediately put to it. The animal had not gone in many paces, when he howled and retreated with several quills in his body. One in particular was driven an inch into his right leg. The porcupine, on the approach of the dog, drew itself into the shape of a ball, like a hedge-hog, and darting forward with all its strength, threw its quills into the dog."

DYING OF JOY.

One of the strongest instances of affection in dogs, is related in the *Memoires du Marquess Langallery*. The marquess had been two years in the army, when returning home, a favourite dog which he had left came to meet him in the court yard, and recognizing him as if he had only been absent two days, leaped upon his neck, and died of joy at having found him again.

USURPER PUNISHED.

Some years ago, a sparrow had early in spring taken possession of an old swallow's nest in a village in Fifeshire, and had laid some eggs in it, when the original builder and owner of the castle made her appearance, and claimed possession. The sparrow, firmly seated, resisted the claim of the swallow; a smart battle ensued, in which the swallow was joined by its mate, and during the conflict by several of their comrades. All the efforts of the assembled swallows to dislodge the usurper, were however unsuccessful. Finding themselves completely foiled in this object, it would seem that they had held a council of war to consult on ulterior measures; and the resolution they came to, shews that with no ordinary degree of ingenuity, some very lofty considerations of right and justice were combined in their deliberations. Since the sparrow could not be dispossessed of the nest, the next question with them appears to have been, how he could be otherwise punished for his unlawful usurpation of a property unquestionably the legitimate right of its original constructor. The council were unani-

mous in thinking, that nothing short of the death of the intruder could adequately atone for so heinous an offence ; and having so decided, they proceeded to put their sentence into execution, in the following very extraordinary manner. Quitting the scene of contest for a time, they returned with accumulated numbers, each bearing a beak full of building materials ; and without any farther attempt to beat out the sparrow, they instantly set to work, and built up the entrance into the nest, enclosing the sparrow within the clay tenement, and leaving her to perish in the garrison she had so bravely defended.

The truth of this almost incredible story is vouched for by a gentleman of unquestionable veracity, and a most ingenious observer of nature, Mr. Gavin Inglis, of Strathendry, Bleachfield, in Fifeshire. Linnæus had prepared us to expect as much from the ingenuity of the swallow, but he states nothing of the kind as of his own knowledge.

FEEDING THE ORPHAN.

In June, 1816, some young gentlemen disappointed in duck shooting, fired a few rounds for their amusement at a flock of swallows, and unfortunately brought some of the parent swallows to the ground, and among the rest, both parents of a young brood of five, whose nest was in the corner of one of the windows of Mr. Gavin Inglis's house, at Strathendry. Conceiving the young would perish from hunger, Mr. I. resolved to take them into the house, and try to bring them up under the care of his children, who had undertaken to catch flies for them. This humane interposition was however found unnecessary ; the news of the calamity

had spread over the colony, and a collection of parent-swallows had assembled. The state of the nest and the young was taken under review, and arrangements were immediately gone into for the protection and support of the helpless orphans. A supply of provisions was brought them, before leaving them for the night ; and next day, and every day for some time after, the benevolent office of feeding them was carried on with so much parental care by the older swallows in succession, that the orphan group were as regularly fed, and as soon fledged and on the wing, as the young of any nest in the whole colony.

A SLY COUPLE.

A gentleman in the county of Stirling kept a greyhound and a pointer, and being fond of coursing, the pointer was accustomed to find the hares, and the greyhound to catch them. When the season was over, it was found that the dogs were in the habit of going out by themselves, and killing hares for their own amusement. To prevent this, a large iron ring was fastened to the pointer's neck by a leather collar, and hung down so as to prevent the dog from running, or jumping over dikes, &c. The animals, however, continued to stroll out to the fields together ; and one day the gentleman suspecting that all was not right, resolved to watch them, and to his surprise, found that the moment when they thought that they were unobserved, the greyhound took up the iron ring in his mouth, and carrying it, they set off to the hills, and began to search for hares as usual. They were followed, and it was observed, that whenever the pointer

scented the hare, the ring was dropped, and the greyhound stood ready to pounce upon poor puss the moment the other drove her from her form, but that he uniformly returned to assist his companion after he had caught his prey.

A GOOD FINDER.

One day, when Dumont, a tradesman of the Rue St. Denis, was walking in the Boulevard St. Antoine with a friend, he offered to lay a wager with the latter, that if he were to hide a six-livre piece in the dust, his dog would discover and bring it to him. The wager was accepted, and the piece of money secreted, after being carefully marked. When the two had proceeded some distance from the spot, M. Dumont called to his dog that he had lost something, and ordered him to seek it. Caniche immediately turned back, and his master and his companion pursued their walk to the Rue St. Denis. Meanwhile a traveller, who happened to be just then returning in a small chaise from Vincennes, perceived the piece of money, which his horse had kicked from its hiding place; he alighted, took it up, and drove to his inn, in the Rue Pont-aux-Choux. Caniche had just reached the spot in search of the lost piece, when the stranger picked it up. He followed the chaise, went into the inn, and stuck close to the traveller. Having scented out the coin which he had been ordered to bring back in the pocket of the latter, he leaped up incessantly at and about him. The traveller supposing him to be some dog that had been lost or left behind by his master, regarded his different movements as marks of fondness; and as the animal was

handsome, he determined to keep him. He gave him a good supper, and on retiring to bed, took him with him to his chamber. No sooner had he pulled off his breeches, than they were seized by the dog; the owner, conceiving that he wanted to play with them, took them away again. The animal began to bark at the door, which the traveller opened, under the idea that the dog wanted to go out. Caniche snatched up the breeches, and away he flew. The traveller posted after him with his night-cap on, and literally *sans culottes*. Anxiety for the fate of a purse full of gold Napoleons, of forty francs each, which was in one of the pockets, gave redoubled velocity to his steps. Caniche ran full speed to his master's house, where the stranger arrived a moment afterwards, breathless and enraged. He accused the dog of robbing him. "Sir," said the master, "my dog is a very faithful creature; and if he has run away with your breeches, it is because you have in them money which does not belong to you." The traveller became still more exasperated. "Compose yourself, sir," rejoined the other, smiling, "without doubt there is in your purse a six-livre piece, with such and such marks, which you have picked up in the Boulevard St. Antoine, and which I threw down there with the firm conviction that my dog would bring it back again. This is the cause of the robbery which he has committed upon you." The stranger's rage now yielded to astonishment; he delivered the six livre piece to the owner, and could not forbear caressing the dog which had given him so much uneasiness, and such an unpleasant chase.

SENSE OF RIDICULE.

Persons who have the management of elephants, have often observed that they know very well when any one is ridiculing them, and that they very often revenge themselves when they have an opportunity. A painter wished to draw an elephant in the menagerie at Paris in an extraordinary attitude, which was with his trunk lifted up, and his mouth open. An attendant on the painter, to make the elephant preserve the position, threw fruits in his mouth, and often pretended to throw them without doing so. The animal became irritated, and as if knowing that the painter was to blame rather than his servant, turned to him, and dashed a quantity of water from his trunk over the paper on which the painter was sketching his distorted portrait.

MINSTREL'S BARK.

Seals have a very delicate sense of hearing, and are much delighted with music. The fact was not unknown to the ancient poets, and is thus alluded to by Walter Scott :

“ Rude Heiskar’s seals, through surges dark,
Will long pursue the minstrel’s bark.”

Mr. John Laing, in his account of a voyage to Spitzbergen, mentions, that the captain of the ship’s son, who was fond of playing on the violin, never failed to have a numerous auditory when in the seas frequented by these animals ; and Mr. L. has seen

them follow the ship for miles when any person was playing on deck.

THE INDICATOR.

The Hottentots in Southern Africa, are remarkable for their skill in observing the bees, as they fly to their nests, but they have still a much better guide than their own acuteness, on which they invariably rely. This is a small brownish bird, nothing remarkable in its appearance, of the cuckoo genus, to which naturalists have given the specific name of the *Indicator*, from its pointing out and discovering, by a chirping and whistling noise, the nests of bees; it is called by the farmers the honey bird.

In the conduct of this little animal there is something that looks very like what philosophers have been pleased to deny the brute creation. Having observed a nest of honey, it flies in search of some human creature, to whom, by its fluttering, whistling, and chirping, it communicates the discovery. Every Hottentot is too well acquainted with the bird, to have any doubts as to the certainty of the information. It leads the way directly to the place, flying from bush to bush, or from one ant-hill to another. When close to the nest, it remains still and silent. As soon as the person to whom the discovery is made has taken away the honey, the indicator flies to feast on the remains. By the like conduct it is also said to indicate with equal certainty the dens of lions, tigers, and hyænas, and other beasts of prey, and noxious animals. In the discovery of a bee's nest, self interest is concerned; but in the latter instance, its motives must proceed from a different principle.

MATERNAL AFFECTION.

While the Carcass, one of the ships in Captain Phipps's voyage of discovery to the North Pole, was locked in the ice, early one morning the man at the mast head gave notice that three bears were making their way very fast over the frozen ocean, and were directing their course towards the ship. They had no doubt been invited by the scent of some blubber of a sea-horse, which the crew had killed a few days before, which had been set on fire, and was burning on the ice at the time of their approach. They proved to be a she bear and her two cubs ; but the cubs were nearly as large as the dam. They ran eagerly to the fire, and drew out from the flames part of the flesh of the sea-horse that remained unconsumed, and eat it voraciously. The crew of the ship threw great lumps of the flesh of the sea-horse which they had still left, upon the ice, which the old bear fetched away singly, laying every lump before the cubs as she brought it, and dividing it, gave each a share, reserving but a small portion to herself. As she was fetching away the last piece, they levelled their muskets at the cubs, and shot them both dead, and in her retreat they wounded the dam, but not mortally. It would have drawn tears of pity from any but the most unfeeling, to have marked the affectionate concern expressed by this poor animal in the dying moments of her expiring young. Though she was sorely wounded, and could but just crawl to the place where they lay, she carried the lump of flesh she had just fetched away, as she had done the others, tore it in pieces, and laid it down before them ; when she saw that they refused to eat, she laid her paws

first upon one, then upon the other, and endeavoured to raise them up, making at the same time the most pitiable moans. Finding she could not stir them, she went off, and when she had got at some distance, looked back and moaned; and that not availing to entice them away, she returned, and smelling round them, began to lick their wounds. She went off a second time, as before, and having crawled a few paces, looked again behind her, and for some time stood moaning. But still her cubs not rising to follow her, she returned to them anew, and with signs of inexpressible fondness, went round them, pawing them successively. Finding at last that they were cold and lifeless, she raised her head towards the ship, and growled a curse upon the destroyers, which they returned with a volley of musket balls. She fell between her cubs, and died licking their wounds.

EFFECT OF COLOURS.

Mr. Forbes, the author of the "Oriental Memoirs," when at Dazagau in Concan, kept a cameleon for several weeks. The animal was singularly affected by any thing black. The skirting board of the room was black, and the creature carefully avoided it; but if by chance he came near it, or if a black hat were placed in his way, he shrunk and became black as jet. It was evident by the care he took to avoid those objects which occasioned this change, that the effort was painful to him; the colour seemed to operate like a poison. From some antipathy of the same sort, the buffalo and the bull are enraged by scarlet, which according to the blind man's notion, acts upon them like the sound of

a trumpet; and the viper is most provoked to bite, when the viper-catcher presents it with a red rag. There are other animals to whom certain colours have the effect of fascination. Daffodils, or any bright yellow flowers, will decoy perch into a draw-net. Persons who wear black hats in summer, are ten times more annoyed by flies than those who wear white ones. Such facts are highly curious, and well deserving of investigation. We know as yet but little of the manner in which animals are affected by colours, and that little is only known popularly. When more observations of this kind have been made and classified, they may lead to some consequences of practical utility.

TAME SEA-GULL.

Many years ago a Mr. Scot, of Benholm, near Montrose, had accidentally caught a sea-gull, whose wings he cut, and put it into his garden. The bird remained in that situation for several years, and being kindly treated, became so familiar, as to come at a call to be fed at the kitchen door. It was known by the name of Willie. This bird became at last so tame, that no pains were taken to preserve it, and its wings having grown to full length, it flew away, joined the other gulls on the beach, and came back from time to time, to pay a visit to the house. When its companions left the country at the usual season, Willie accompanied them, much to the regret of the family. To their great joy, however, it returned next season; and with its usual familiarity, came to its old haunt, where it was welcomed and fed very liberally. In this way it went and returned for *forty years*, with-

out intermission, and kept up its acquaintance in the most cordial manner; for while in the country, it visited them almost daily, answered to its name like any domestic animal, and eat almost out of the hand. One year, however, very near the period of its final disappearance, Willie did not pay his respects to the family for eight or ten days after the general flock of gulls were upon the coast, and great was the lamentation for his loss, as it was feared he was dead; but to the surprise and joy of the family, a servant one morning came running into the breakfast room in ecstasy, announcing that Willie was returned. The whole company rose from the table to welcome Willie. Food was soon supplied in abundance, and Willie with his usual frankness eat of it heartily, and was as tame as any barnyard fowl about the house. In a year or two afterwards, this grateful bird discontinued his visits for ever.

CARRIER PIGEONS.

The first mention we find made of the employment of pigeons as letter carriers, is by Ovid in his "Metamorphoses," who tells us that Taurosthenes, by a pigeon stained with purple, gave notice of his having been victor at the Olympic Games on the very same day to his father at Ægina.

Pliny informs us, that during the siege of Modena by Marc Antony, pigeons were employed by Brutus to keep up a correspondence with the besieged.

When the city of Ptolemais, in Syria, was invested by the French and Venetians, and it was ready to fall

into their hands, they observed a pigeon flying over them, and immediately conjectured that it was charged with letters to the garrison. On this the whole army raising a loud shout, so confounded the poor aërial post, that it fell to the ground, and on being seized, a letter was found under its wings, from the Sultan, in which he assured the garrison, that "he would be with them in three days, with an army sufficient to raise the siege." For this letter the besiegers substituted another to this purpose, "that the garrison must see to their own safety, for the Sultan had such other affairs pressing him, that it was impossible for him to come to their succour;" and with this false intelligence they let the pigeon free to pursue his course. The garrison, deprived by this decree of all hope of relief, immediately surrendered. The Sultan appeared on the third day, as promised, with a powerful army, and was not a little mortified to find the city already in the hands of the Christians.

Carrier pigeons were again employed, but with better success, at the siege of Leyden, in 1675. The garrison were, by means of the information thus conveyed to them, induced to stand out, till the enemy, despairing of reducing the place, withdrew. On the siege being raised, the Prince of Orange ordered that the pigeons who had rendered such essential service, should be maintained at the public expense; and that at their death, they should be embalmed and preserved in the town house, as a perpetual token of gratitude.

In the east, the employment of pigeons for the conveyance of letters is still very common; particularly in Syria, Arabia, and Egypt. Every bashaw has generally a basket full of them sent him from the grand

seraglio, were they are bred, and in case of any insurrection, or other emergency, he is enabled, by letting loose two or more of these extraordinary messengers, to convey intelligence to the government, long before it could be possibly obtained by other means.

In Flanders, great encouragement is also still given to the training of pigeons; and at Antwerp there is an annual competition of the society of pigeon fanciers.

In the United States, they have been also recently employed, with very nefarious success, by a set of lottery gamblers. The numbers of the tickets drawn at Philadelphia were known by this mode of conveyance, within so inconceivably short a period, at New York, or if drawn at New York, known at Philadelphia, and so with other towns, that the greatest frauds were committed on the public by those in possession of this secret means of intelligence.

In England, the use of carrier pigeons is at present wholly confined to the *gentlemen of the fancy*, who inherited it from the heroes of Tyburn; with whom it was of old a favourite practice, to let loose a number of pigeons at the moment the fatal cart was drawn away, to notify to distant friends the departure of the unhappy criminal.

The diligence and speed with which these feathered messengers wing their course, is extraordinary. From the instant of their liberation, their flight is directed through the clouds at an immense height to the place of their destination. They are believed to dart onwards in a straight line, and never descend, except when at a loss for breath, and then are to be seen commonly at dawn of day, lying on their backs on the ground with their bills open, sucking in with hasty

avidity the dew of the morning. Of their speed, the instances related are almost incredible.

The Consul of Alexandria daily sends despatches by this means to Aleppo in five hours, though couriers occupy the whole day in proceeding with the utmost expedition from one town to the other.

Some years ago, a gentleman sent a carrier pigeon from London, by the stage coach, to his friend at Bury St. Edmunds, together with a note, desiring that the pigeon, two days after its arrival there, might be thrown up precisely when the town clock struck nine in the morning. This was done accordingly, and the pigeon arrived in London, and flew to the Bull Inn in Bishopsgate Street, into the loft, and was there shown at half-an hour past eleven o'clock, having flown seventy-two miles in two hours and a half. At the annual competition of the Antwerp pigeon fanciers in 1819, one of thirty-two pigeons belonging to that city, who had been conveyed to London, and there let loose, made the transit back, being a distance in a direct line of one hundred and eighty miles, in six hours!

It is through the attachment of these animals to the place of their birth, and particularly to the spot where they have brought up their young, that they are thus rendered useful to mankind.

When a young one flies very hard at home, and is come to its full strength, it is carried in a basket or otherwise about half a mile from home, and there turned out; after this, it is carried a mile, then two, four, eight, ten, twenty, &c. till at length it will return from the furthestmost parts of the country.

INDIAN GROSS-BEAK.

The Baya, or Gross-beak, so very common in Hindostan, is rather larger than a sparrow. "It is," says Sir William Jones, "astonishingly sensible, faithful, and docile, never voluntarily deserting the place where its young were hatched; but not averse, like most other birds, to the society of mankind, and easily taught to perch on the hand of its master. It may be taught with ease to fetch a piece of paper, or any small thing that its master points out; and it is an attested fact, that if a ring be dropped into a deep well, and a signal be instantaneously given, it will fly down with amazing celerity, catch the ring before it touches the water, and bring it up to its master with apparent exultation. It is also confidently asserted, that if a house, or any other place, be shewn to it once or twice, it will carry a note thither immediately on the proper signal being made."

One instance of its docility, Sir William Jones was an eye-witness of. The young Hindoo women, at Benares and other places, wear very thin plates of gold, called *ticas*, slightly fixed, by way of ornament, between their eye-brows; and when they pass through the streets, it is not uncommon for the youthful libertines, who amuse themselves with training Bayas, to give them a signal, which they understand, and send them to pluck the pieces of gold from the foreheads of their mistresses, which they bring in triumph to their lovers.

THE PIG POINTER.

The race of swine, though generally so stupid as to have furnished an odious cant appellation for the multitude of our own species, is by no means destitute of sagacity : but the shortness of life to which we generally doom them, unfortunately precludes all improvement in this respect. In proof of their intellectual endowments, it might be sufficient to recite the numerous instances of *learned pigs* with which the exhibitions of every country fair are familiar ; but an instance more truly surprising than these, was that of the black New Forest sow, which was broke in by Tumor, the gamekeeper to Sir H. St. John Mildmay, to find game, back, and stand, nearly as well as a pointer.

This sow, which was a thin, long-legged animal (one of the ugliest of the New Forest breed), when very young, conceived so great a partiality to some pointer puppies that Tumor was breaking, that it played, and often came to feed with them. From this circumstance it occurred to Tumor (to use his own expression) that, having broke many a dog as obstinate as a pig, he would try if he could not also succeed in breaking a pig. The little animal would often go out with the puppies to some distance from home ; and he enticed it farther by a sort of pudding made of barley meal, which he carried in one of his pockets. The other he filled with stones, which he threw at the pig whenever she misbehaved, as he was not able to catch and correct her in the same manner he did his dogs. He informed Sir Henry Mildmay, that he found the animal

tractable, and that he soon taught her what he wished by this mode of reward and punishment. Sir Henry Mildmay says, that he has frequently seen her out with Tumor, when she quartered her ground as regularly as any pointer, stood when she came on game (having an excellent nose), and backed other dogs as well as he ever saw a pointer. When she came on the cold scent of game, she slackened her trot, and gradually dropped her ears and tail, till she was certain, and then fell down on her knees. So staunch was she, that she would frequently remain five minutes and upwards on her point. As soon as the game rose, she always returned to Tumor, grunting very loudly for her reward of pudding, if it was not immediately given to her.

When Tumor died, his widow sent the pig to Sir Henry Mildmay, who kept it for three years, but never used it, except for the purpose of occasionally amusing his friends. In doing this, a fowl was put into a cabbage-net, and hidden amongst the fern in some part of the park, and the extraordinary animal never failed to point it, in the manner above described.

FILIAL TENDERNESS AND ADDRESS.

A cat belonging to Mr. Stevens, of the Red Lion Hotel in Truro, during the period of her gestation, was conveyed to a barn, near the turnpike-gate, on the Michell road. The time of her accouchment being arrived, puss became the mother of four fine sprawling kittens! To her unspeakable grief, three of her young ones suffered a watery death the next morning, without ever opening their eyes on this

sorrowful world. The authors of this melancholy catastrophe, on going to the barn on the following day, found no traces either of the mother or her remaining young one. They called, but all was silent; they searched, but tabby was invisible. Here the matter rested for several days, when at length, early in the morning, puss made her appearance in the court of her master's house in a very slender condition. Having satisfied her hunger, and loitered about the house during the day, late at night she took her leave, carrying with her all the provisions which she conveniently could. For several days she repeated the same course of operations, regularly returning to the hotel in the morning, and leaving it not empty-mouthed at night. Her proceedings having excited attention, she was followed in one of her nocturnal retreats, not to the barn from which two of her young ones had been so cruelly taken to be drowned, but to the top of a wheaten mowhay, at some distance. On beating up her quarters there, she was discovered feeding her surviving kitten, which had by this time become plump and sleek, but was as wild as a young tiger, and would not be touched by any one. The hole which the mother-cat had made in the mowhay, to afford a passage and retreats to her young one, was peculiarly curious.

A few days afterwards the mother finding, perhaps, that her own daily journeys were too fatiguing; or thinking it necessary that her young one should be introduced to the world, in order to rub off the rust of its clownish education; or what is as likely, feeling assured that the kitten had attained an age which would save it from sharing the fate of its departed re-

latives, she took advantage of a dark and silent night, when worrying dogs and boys were within doors, to convey it to Truro, where we need not say, grimalkin and the young stranger found a hospitable welcome.

INFANT FASCINATION.

The Reading Eagle, a Pennsylvanian paper of the year 1820, relates the following extraordinary incident. A daughter of Mr. Daniel Strohecker, near Orwigsburgh, Berks, County Pennsylvania, about three years of age, was observed for a number of days to go to a considerable distance from the house with a piece of bread which she obtained from her mother. The circumstance attracted the attention of the mother, who desired Mr. S. to follow the child, and observe what she did with it. On coming to the child, he found her engaged in feeding several snakes, called yellow heads, or bastard rattle-snakes. He immediately took it away, and proceeded to the house for his gun, and returning, killed two of them at one shot, and another a few days after. The child called these reptiles in the manner of calling chickens; and when its father observed, if it continued the practice they would bite her, the child replied, "No, father, they won't bite me; they only eat the bread I give them."

A large and ferocious mastiff which had broke his chain, ran along the road near Bath, to the great terror and consternation of those whom he passed; when suddenly running by a most interesting boy, the child struck him with a stick, upon which the dog turned furiously on his infant assailant. The little fellow, so far from

being intimidated, ran up to him, and flung his arms round the neck of the enraged animal, which became instantly appeased, and in return, caressed the child.

DOMESTICATED SEAL.

A gentleman in the neighbourhood of Burntisland, in Fifeshire, has completely succeeded in taming a seal. It appears to possess all the sagacity of the dog, lives in its master's house, and eats from his hand. He usually takes it with him in his fishing excursions, upon which occasion it affords no small entertainment. When thrown into the water, it will follow for miles the track of the boat; and although thrust back by the oars, it never relinquishes its purpose. Indeed, it struggles so hard to regain its seat, that one would imagine its fondness for its master had entirely overcome the natural predilection for its native element.

THE VAMPYRE.

Captain Steadman, in his "Narrative of a Five Years' Expedition against the revolted Negroes of Surinam," relates, that on waking about four o'clock one morning in his hammock, he was extremely alarmed at finding himself weltering in congealed blood, and without feeling any pain whatever. "The mystery was," continues Captain S. "that I had been bitten by the *Vampyre* or *Spectre* of Guiana, which is also called the *Flying Dog* of New Spain, and by the Spaniards, *Perrovolador*. This is no other than a bat of monstrous size, that sucks the blood from men and cattle while they are fast asleep, even sometimes till

they die; and as the manner in which they proceed is truly wonderful, I shall endeavour to give a distinct account of it. Knowing, by instinct, that the person they intend to attack is in a sound slumber, they generally alight near the feet, where, while the creature continues fanning with his enormous wings, which keeps one cool, he bites a piece out of the tip of the great toe, so very small indeed, that the head of a pin could scarcely be received into the wound, which is consequently not painful; yet through this orifice he continues to suck the blood, until he is obliged to disgorge. He then begins again, and thus continues sucking and disgorging until he is scarcely able to fly; and the sufferer has often been known to sleep from time to eternity. Cattle they generally bite in the ear, but always in places where the blood flows spontaneously. Having applied tobacco ashes as the best remedy, and washed the gore from myself and hammock, I observed several small heaps of congealed blood all round the place where I had lain upon the ground; on examining which, the surgeon judged that I had lost at least twelve or fourteen ounces during the night."

RETRIBUTION.

In the Park of Lord Grantley at Womersley, near Guildford, a fawn, drinking, was suddenly pounced upon by one of the swans, which pulled the animal into the water, and held it under until quite drowned. The atrocious action was observed by the other deer in the park, and did not long go unrevenged; for shortly after this very swan, which had hitherto never

been molested by the deer, was singled out when on land, and furiously attacked by a herd, which surrounded and presently killed the offender.

STRANGE ROOKS.

In the year 1783, a pair of strange rooks, after an unsuccessful attempt to effect a lodgment in a rookery at a little distance from the Exchange in Newcastle, were compelled to abandon the attempt, and to take refuge on the spire of that building; and although constantly molested by other rooks, they built their nest on the top of the vane, and there reared a brood of young ones, undisturbed by the noise of the populace below them. The nest and its inmates were of course turned about by every change of the wind. Every year they continued to build their nest in the same place, till the year 1793, soon after which the spire was taken down. A small engraving was made, of the size of a watch paper, representing the top of the spire and the rook's nest; a great many copies of it were sold, and some are still to be met with among the inhabitants of Newcastle.

CAT AND CROWS.

In the spring of 1791, a pair of crows made their nest in a tree, of which there were several planted round the garden of a gentleman, who, in his morning walks, was often amused by witnessing furious combats between the crows and a cat. One morning the battle raged more fiercely than usual, till at last

the cat gave way, and took shelter under a hedge, as if to wait a more favourable opportunity of retreating into the house. The crows continued for a short time to make a threatening noise ; but perceiving that on the ground they could do nothing more than threaten, one of them lifted a stone from the middle of the garden, and perched with it on a tree planted in the hedge where she sat, watching the motions of the enemy of her young. As the cat crept along under the hedge, the crow accompanied her, flying from branch to branch, and from tree to tree ; and when at last puss ventured to quit her hiding place, the crow, leaving the trees, and hovering over her in the air, let the stone drop from on high on her back.

Another instance of the sagacity of the crow, is related by Dr. Darwin. A friend of his on the northern coast of Ireland, saw above a hundred crows at once preying upon muscles ; each crow took a muscle up into the air thirty or forty yards high, and then let it fall upon the stones, and thus, by breaking the shell, got possession of the animal.

REVENGEFUL SWALLOW.

A gentleman of Brenchley having shot a hen-swallow which was skimming in the air, accompanied by her mate, the enraged partner immediately flew at the fowler, and, as if to revenge the loss it had sustained, struck him in the face with its wing, and continued flying around him with every appearance of determined anger. For several weeks after the fatal shot, the bird continued to annoy the gentleman whenever it met with him, except on Sundays, when it did not recognize him, in consequence of his change of dress.

HEROISM OF THE HEN.

In June, 1820, a contest of rather an unusual nature took place in the house of Mr. Collins, a respectable innkeeper at Naul in Ireland. The parties concerned were, a hen of the game species, and a rat of the middle size. The hen, in an accidental perambulation round a spacious room, accompanied by an only chicken, the sole surviving offspring of a numerous brood, was roused to madness by an unprovoked attack made by a voracious cowardly rat, on her unsuspecting chirping companion. The shrieks of the beloved captive, while dragging away by the enemy, excited every maternal feeling in the affectionate bosom of the feathered dame ; she flew at the corner whence the alarm arose, seized the lurking enemy by the neck, writhed him about the room, put out one of his eyes in the engagement, and so fatigued her opponent by repeated attacks of spur and bill, that in the space of twelve minutes, during which time the conflict lasted, she put a final period to the nocturnal invader's existence ; nimbly turned round, in wild but triumphant distraction, to her palpitating nestling, and hugged it in her victorious bosom.

SINGULAR FOSTER-MOTHER.

At Dunrobin Castle, in Sutherlandshire, the seat of the Marquess of Stafford, there was, in May, 1820, to be seen, a terrier bitch nursing a brood of ducklings. She had had a litter of whelps a few weeks

before, which were taken from her and drowned. The unfortunate mother was quite disconsolate, till she perceived the brood of ducklings, which she immediately seized and carried to her lair, where she retained them, following them out and in with the greatest care, and nursing them after her own fashion, with the most affectionate anxiety. When the ducklings, following their natural instinct, went into the water, their foster-mother exhibited the utmost alarm; and as soon as they returned to land, she snatched them up in her mouth, and ran home with them. What adds to the singularity of this circumstance is, that the same animal, when deprived of a litter of puppies the year preceding, seized two cock-chickens, which she reared with the like care she bestows upon her present family. When the young cocks began to try their voices, their foster-mother was as much annoyed as she now seems to be by the swimming of the ducklings---and never failed to repress their attempts at crowing.

MATRIMONIAL FIDELITY.

A pigeon, twelve years old, belonging to an inn-keeper at Cheltenham, was a few years ago deserted by his partner, after having had a numerous progeny by her. He took the loss much to heart, but made no attempt to supply her place by a new alliance. Two years passed away in a state of widowed solitude, when at last the faithless fair one returned, and wished to be restored to all her conjugal rights. Her injured lord and master was for a time inexorable; he repelled all her approaches, and when she became importunate, gave her a sound beating. In the dead of night,

however, Master Pigeon's curtains not being more secure than those of Priam, the lady contrived to make her quarters good. When the day dawned, matters were so far made up, that it was agreed Madam Dove should at least have shelter in his cot during the remainder of her days ; but the days of the repentant guilty are seldom long, and a few short months saw her consigned to the tomb. The old pigeon, as if sensible that death, by for ever dissolving the connexion, had placed him in a state of liberty which her voluntary desertion had not, instantly took wing, and in an hour or two returned with a new partner !

DISINTERESTED INFORMER.

A lady walking over Lansdown, near Bath, was overtaken by a large dog, which had left two men who were travelling the same road with a horse and cart, and followed by the animal for some distance, the creature endeavouring to make her sensible of something by looking in her face, and then pointing with his nose behind. Failing in his object, he next placed himself so completely in front of the object of his solicitude, as to prevent her proceeding any farther, still looking steadfastly in her face. The lady became rather alarmed ; but judging from the manner of the dog, who did not appear vicious, that there was something about her which engaged his attention, she examined her dress, and found that her lace shawl was gone. The dog, perceiving that he was at length understood, immediately turned back ; the lady followed him, and he conducted her to the spot where her shawl lay, some distance back in the road. On her taking it

up, and replacing it on her person, the interesting quadruped instantly ran off at full speed after his master, apparently much delighted.

THE SHEPHERD'S DOG.

The celebrated shepherd poet, to whom these ANECDOTES of INSTINCT are inscribed, had a dog named Sirrah, who was for many years his sole companion in those mountain solitudes, where, far from the haunts of men, he nursed that imagination which has since burst forth with such splendour on the world. "He was," quoth the shepherd, "beyond all comparison the best dog I ever saw. He was of a surly, unsocial temper, disdaining all flattery, and refused to be caressed ; but his attention to his master's commands and interests, will never again be equalled by any of the canine race. The first time that I saw him, a drover was leading him in a rope ; he was hungry and lean, and far from being a beautiful cur, for he was almost all over black, and had a grim face, striped with dark brown. The man had bought him of a boy for three shillings somewhere on the border, and doubtless had fed him very ill on his journey. I thought I discovered a sort of sullen intelligence in his face, notwithstanding his dejected and forlorn situation ; so I gave the drover a guinea for him, and appropriated the captive to myself. I believe there never was a guinea so well laid out ; at least I am satisfied that I never laid out one to so good a purpose. He was scarcely then a year old and knew so little of herding, that he had never turned sheep in his life ; but as soon as he discovered that it was his duty to do so, and that it obliged me, I can

never forget with what anxiety and eagerness he learned his different evolutions. He would try every way deliberately till he found out what I wanted him to do; and when once I made him to understand a direction, he never forgot or mistook it again. Well as I knew him, he often astonished me, for when hard pressed in accomplishing the task that he was put to, he had expedients of the moment that bespoke a great share of the reasoning faculty."

Mr. Hogg goes on to narrate the following among other remarkable exploits, in illustration of Sirrah's sagacity. About seven hundred lambs, which were once under his care at weaning time, broke up at midnight, and scampered off in three divisions across the hills, in spite of all that the shepherd and an assistant lad could do to keep them together. "Sirrah," cried the shepherd in great affliction, "my man, they're a' awa." The night was so dark, that he did not see Sirrah; but the faithful animal had heard his master's words---words such as of all others were sure to set him most on the alert; and without more ado, he silently set off in quest of the recreant flock. Meanwhile the shepherd and his companion did not fail to do all that was in their own power to recover their lost charge; they spent the whole night in scouring the hills for miles around, but of neither the lambs nor Sirrah could they obtain the slightest trace. "It was the most extraordinary circumstance," says the shepherd, "that had ever occurred in the annals of the pastoral life. We had nothing for it (day having dawned), but to return to our master, and inform him that we had lost his whole flock of lambs, and knew not what was become of one of them. On our way home, however,

we discovered a body of lambs at the bottom of a deep ravine, called the Flesh Cleuch, and the indefatigable Sirrah standing in front of them, looking all around for some relief, but still standing true to his charge. The sun was then up; and when we first came in view of them, we concluded that it was one of the divisions of the lambs which Sirrah had been unable to manage, until he came to that commanding situation. But what was our astonishment, when we discovered by degrees that not one lamb of the whole flock was wanting! How he had got all the divisions collected in the dark, is beyond my comprehension. The charge was left entirely to himself, from midnight until the rising of the sun; and if all the shepherds in the forest had been there to have assisted him, they could not have effected it with greater propriety. All that I can farther say is, that I never felt so grateful to any creature below the sun, as I did to my honest Sirrah that morning."

SYBARITE HORSES.

The dance of animals, as we have already seen, was not unknown to antiquity; dogs, bears, apes, elephants, &c. were admitted into their *corps de ballet*; but horses exceeded all the rest in the *gracefulness* of their steps and the docility of their tempers. Pliny informs us, that the Sybarites, whom we have surpassed in this, if in nothing else, were the first who associated this tractable quadruped to their ball. The passion of this people for amusement, however, proved fatal to them on this occasion; for the Crotonitæ having instructed their trumpeters to sound the usual charge in a pitched

battle between the armies of these two nations, the horses of the latter fell to dancing, instead of advancing to the charge, and were with their riders cut in pieces.

MIMIC.

Père Carbasson brought up an orang-otang, which became so fond of him, that wherever he went, it was always desirous of accompanying him. Whenever therefore he had to perform the service of his church, he was under the necessity of shutting it up in his room. Once, however, the animal escaped, and followed the father to the church; where silently mounting the sounding board above the pulpit, he lay perfectly still till the sermon commenced. He then crept to the edge, and overlooking the preacher, imitated all his gestures in so grotesque a manner, that the whole congregation were unavoidably urged to laugh. The father, surprised and confounded at this ill-timed levity, severely rebuked his audience for their inattention. The reproof failed in its effect; the congregation still laughed, and the preacher in the warmth of his zeal redoubled his vociferation and his action; these the ape imitated so exactly, that the congregation could no longer restrain themselves, but burst out into a loud and continued laughter. A friend of the preacher at length stepped up to him, and pointed out the cause of this improper conduct; and such was the arch demeanour of the animal, that it was with the utmost difficulty he could himself command his gravity, while he ordered the servants of the church to take him away.

CONVERSING PARROT.

Mr. Locke, in his "Essay on the Human Understanding," quotes the following anecdote of a parrot from the "Remains of what passed in Christendom from 1672 to 1679," in a manner which shews, that however incredible, he at least believed in it. During the government of Prince Maurice in Brazil, he had heard of an old parrot that was much celebrated for answering like a rational creature many of the common questions put to it. It was at a great distance; but so much had been said about it, that the prince's curiosity was roused, and he directed it to be sent for. When it was introduced into the room where the prince was sitting, in company with several Dutchmen, it immediately exclaimed in the Brazilian language, "What a company of white men are here!" They asked it, "Who is that man?" (pointing to the prince). The parrot answered, "Some general or other." When the attendants carried it up to him, he asked it, through the medium of an interpreter (for he was ignorant of its language), "Whence do you come?" The parrot answered, "From Marignan." The prince asked, "To whom do you belong?" It answered, "To a Portugeze." He asked again, "What do you do there?" It answered, "I look after chickens." The prince laughing, exclaimed, "You look after chickens?" The parrot in answer said, "Yes, I; and I know well enough how to do it;" clucking at the same time, in imitation of the noise made by the hen to call together her young.

The author of the memoirs in which this account is

contained, says, that he had it directly from Prince Maurice, who observed, that though the parrot spoke in a language he did not understand, yet he could not be deceived, for he had in the room both a Dutchman who spoke Brazilian, and a Brazilian who spoke Dutch ; that he asked them separately and privately, and both agreed exactly in their account of the parrot's discourse.

COLONEL O'KELLY'S PARROT.

In the London newspapers for October, 1802, there was the following announcement. "A few days ago died, in Half Moon Street, Piccadilly, the celebrated parrot of Colonel O'Kelly. This singular bird sang a number of songs in perfect time and tune. She could express her wants articulately, and give her orders in a manner nearly approaching to rationality. Her age was not known ; it was however more than thirty years, for previously to that period, Mr. O'Kelly bought her at Bristol for a hundred guineas. The colonel was repeatedly offered five hundred guineas a year for the bird, by persons who wished to make a public exhibition of her ; but this, out of tenderness to the favourite, he constantly refused." She could not only repeat a great number of sentences, but answer questions put to her. When singing, she beat time with all the appearance of science ; and so accurate was her judgment, that if by chance she mistook a note, she would revert to the bar where the mistake was made, correct herself, and still beating regular time, go through the whole with wonderful exactness.

A HIGHWAYMAN.

In the autumn of 1817, a complaint was made at Hatton Garden police office by two ladies, who stated that they had been robbed in the following singular manner. While walking near Battle Bridge, about six o'clock in the evening, a dog, unaccompanied by any person, sprung suddenly from the road side, and seizing hold of the reticule which one of the ladies had in her hand, forcibly snatched it from her, and turning off the road, made his escape.

A constable stated, that a dog answering the same description had also robbed a poor woman of a bundle containing two shirts, some handkerchiefs, &c. with which he got clear off. Several other instances of a similar nature were mentioned, and the general conclusion was, that the animal had been trained up to the business, and that his master was in waiting at no great distance, to receive the fruits of the canine plunderer.

CHINESE FISHING BIRDS.

The most extraordinary mode of fishing in China, and which is peculiar to it, is by birds trained for that purpose. Falcons when employed in the air, or hounds when following a scent on the earth, are not more sagacious in the pursuit of their prey, or more certain in obtaining it, than these birds in another element. They are called Looau, and are about the size of a goose, with grey plumage, webbed feet, and have a long and very slender bill, crooked at the point. Their

faculty of diving, or remaining under water, is not more extraordinary than that of many other fowls that prey upon fish ; but the wonderful circumstance is the docility of these birds, in employing their natural instinctive powers at the command of the fishermen who possess them, in the same manner as the hound, the spaniel, or the pointer, submit their respective sagacity to the huntsman or the fowler.

The number of these birds in a boat, is proportioned to the size of it. At a certain signal, they rush into the water and dive after the fish ; and the moment they have seized their prey, they fly with it to their boat ; and though there may be a hundred of these vessels together, the sagacious birds always return to their own masters ; and amidst the crowd of fishing junks which are sometimes assembled on these occasions, they never fail to distinguish that to which they belong. When the fish are in great plenty, these astonishing purveyors will soon fill a boat with them ; and will sometimes be seen flying along with a fish of such size, as to make the beholder who is unaccustomed to the sight suspect his organs of vision ; and such is their extraordinary sagacity, that when one of them happens to have taken a fish which is too bulky for the management of a single fowl, the rest immediately afford their assistance. While they are thus labouring for their masters, they are prevented from paying any attention to themselves, by a ring which is passed round their necks ; and is so contrived, as to frustrate any attempt to swallow the least morsel of what they take.

CONSTANCY OF AFFECTION.

A gentleman who had a dog of a most endearing disposition, was obliged to go a journey periodically once a month. His stay was short, and his departure and return very regular, and without variation. The dog always grew uneasy when he first lost his master, and moped in a corner, but recovered himself gradually as the time for his return approached ; which he knew to an hour, nay, to a minute. When he was convinced that his master was on the road, at no great distance from home, he flew all over the house, and if the street door happened to be shut, he would suffer no servant to have any rest until it was opened. The moment he obtained his freedom, away he went, and to a certainty met his benefactor about two miles from town. He played and frolicked about him till he had obtained one of his gloves, with which he ran or rather flew home, entered the house, laid it down in the middle of the room, and danced round it. When he had sufficiently amused himself in this manner, out of the house he flew, returned to meet his master, and ran before him, or gamboled by his side, till he arrived with him at home. “I know not (says Mr. Dibdin, who relates this anecdote) how frequently this was repeated, but it lasted till the old gentleman grew infirm, and incapable of continuing his journies. The dog by this time was also grown old, and became at length blind ; but this misfortune did not hinder him from fondling his master, whom he knew from every other person, and for whom his affection and solicitude rather increased than diminished. The old

gentleman, after a short illness, died. The dog knew the circumstance, watched the corpse, blind as he was, and did his utmost to prevent the undertaker from screwing up the body in the coffin, and most outrageously opposed its being taken out of the house. Being past hope, he grew disconsolate, lost his flesh, and was evidently verging towards his end. One day he heard a gentleman come into the house, and he ran to meet him. His master being old and infirm, wore ribbed stockings for warmth. The gentleman had stockings on of the same kind. The dog perceived it, and thought it was his master, and began to exhibit the most extravagant signs of pleasure; but upon further examination finding his mistake, he retired into a corner, where in a short time he expired."

FORAGING.

In October, 1817, one of the constables of St. George's in the East, London, made a complaint before the magistrates at Shadwell office, against a horse for stealing hay. The complainant stated, that the horse came regularly every night of its own accord, and without any attendant, to the coach-stands in St. George's, fully satisfied his appetite, and then galloped away. He defied the whole of the parish officers to apprehend him; for if they attempted to go near him while he was eating, he would throw up his heels and kick at them, or run at them, and if they did not go out of the way, he would bite them. The constable therefore thought it best to represent the case to the magistrates.

One of the Magistrates. Well, Mr. Constable, if

you should be annoyed again by this animal in the execution of your duty, you may apprehend him if you can, and bring him before us to answer your complaints."

POWER OF MUSIC.

"Music has charms to sooth the savage breast,
To soften rocks, or bend the knotted oak."

CONGREVE.

Ancient writers tell us of musicians, who, by their art, could tame the most furious wolves and tigers; and it is well known in America, that the rattle-snake will be so overcome and intoxicated, as it were, by soft music, as to stretch itself at full length upon the ground, and continue in all appearance without life or motion. There is a species of dancing snakes, which are carried in baskets through Hindostan, and procure a maintenance for a set of people who play a few simple notes on the flute, with which the snakes seem much delighted, and keep time by a graceful motion of the head, erecting about half their length from the ground, and following the music with gentle curves, like the undulating lines of a swan's neck. "It is a well-attested fact," says Forbes, in his *Oriental Memoirs*, "that when a house is infested with these snakes, and some other of the coluber genus which destroy poultry and small domestic animals, as also by the larger serpents of the boa tribe, the musicians are sent for, who, by playing on a flageolet, find out their hiding places, and charm them to destruction: for no sooner do the snakes hear the music, than they come softly from their retreat, and are easily taken."

The deer also is very fond of the sound of the pipe, and will stand and listen attentively. Waller, in his Ode to Isabella on her Playing on the Lute, has the following allusion to the fondness of this animal for music :

“ Here love takes stand, and while she charms the ear,
Empties his quiver on the listening deer.”

Playford, in his Introduction to Music, has a curious passage on this subject. “ Myself,” says he, “ as I travelled some years since near Royston, met a herd of stags, about twenty, on the road, following a bag-pipe and violin ; while the music played, they went forward ; when it ceased, they all stood still ; and in this manner they were brought out of Yorkshire to Hampton Court.”

One Sunday evening, five choristers were walking on the banks of the river Mersey, in Cheshire ; after some time, being tired with walking, they sat down on the grass, and began to sing an anthem. The field on which they sat, was terminated at one extremity by a wood, out of which, as they were singing, they observed a hare to pass with great swiftness towards the place where they were sitting, and to stop at about twenty yards’ distance from them. She appeared highly delighted with the harmony of the music, often turning up the side of her head to listen with more facility. As soon as the harmonious sound was over, the hare returned slowly towards the wood ; when she had nearly reached the end of the field, the choristers began the same piece again ; at which the hare stopped, turned round, and came swiftly back to

about the same distance as before, where she seemed to listen with rapture and delight, till they had finished the anthem, when she returned again by a slow pace up the field, and entered the wood.

GOING TO MARKET.

A butcher and cattle dealer, who resided about nine miles from Alston, in Cumberland, had a dog which he usually took with him when he drove cattle to the market to be sold, and who displayed uncommon dexterity in managing them. At last, so convinced was the master of the sagacity, as well as the fidelity, of his dog, that he made a wager that he would entrust him with a fixed number of sheep and oxen to drive alone to Alston market. It was stipulated, that no person should be within sight or hearing, who had the least control over the dog; nor was any spectator to interfere, nor be within a quarter of a mile. On the day of trial, the dog proceeded with his business in the most dexterous and steady manner; and although he had frequently to drive his charge through the herds who were grazing, yet he never lost one, but conducting them into the very yard to which he was used to drive them when with his master, he significantly delivered them up to the person appointed to receive them, by barking at the door. What more particularly marked the dog's sagacity was, that when the path the herd travelled lay through a spot where others were grazing, he would run forward, stop his own drove, and then driving the others from each side of the path, collect his scattered charge and proceed. He was several times afterwards thus sent alone for

the amusement of the curious or the convenience of his master, and always acquitted himself in the same adroit and intelligent manner.

PRESUMPTIVE GUILT.

In Smyrna there are a great number of storks, who build their nests and hatch their young very regularly. The inhabitants, in order to divert themselves at the expense of these birds, and gratify a cruel disposition, sometimes convey hen's eggs into the stork's nest; and when the young are hatched, the cock, on seeing them of a different form from his own species, makes a hideous noise, which brings a crowd of other storks about the nest, who, to revenge the disgrace which they imagine the hen has brought upon her race, immediately peck her to death. The cock in the mean time makes the heaviest lamentation, as if bewailing his misfortune, which obliged him to have recourse to such extreme punishment.

ACCOMPLISHED SHOPLIFTER.

A young gentleman lately residing in Edinburgh, was the master of a handsome spaniel bitch, which he had bought from a dealer in dogs. The animal had been educated to steal for the benefit of its protector; but it was some time ere his new master became aware of this irregularity of morals, and he was not a little astonished and teased by its constantly bringing home articles of which it had feloniously obtained possession. Perceiving, at length, that the animal proceeded systematically in this sort

of behaviour, he used to amuse his friends, by causing the spaniel to give proofs of her sagacity in the Spartan art of privately stealing, putting of course the shopkeepers where he meant she should exercise her faculty on their guard as to the issue.

The process was curious, and excites some surprise at the pains which must have been bestowed to qualify the animal for these practices. As soon as the master entered the shop, the dog seemed to avoid all appearance of recognizing or acknowledging any connexion with him, but lounged about in an indolent, disengaged, and independent sort of manner, as if she had come into the shop of her own accord. In the course of looking over some wares, his master indicated by a touch on the parcel and a look towards the spaniel, that which he desired she should appropriate, and then left the shop. The dog, whose watchful eye caught the hint in an instant, instead of following his master out of the shop, continued to sit at the door, or lie by the fire, watching the counter, until she observed the attention of the people of the shop withdrawn from the prize which she wished to secure. Whenever she saw an opportunity of doing so, as she imagined, unobserved, she never failed to jump upon the counter with her fore feet, possess herself of the gloves, or whatever else had been pointed out to her, and escape from the shop to join her master.

DRAWING WATER.

Some years ago, an ass was employed at Carisbrook Castle, in the Isle of Wight, in drawing water by a large wheel from a very deep well, supposed to have been sunk by the Romans. When the keeper wanted water, he would say to the ass, "Tom, my boy, I want water; get into the wheel, my good lad;" which Thomas immediately performed with an alacrity and sagacity that would have done credit to a nobler animal; and no doubt he knew the precise number of times necessary for the wheel to revolve upon its axis, to complete his labour, because every time he brought the bucket to the surface of the well, he constantly stopped, and turned round his honest head to observe the moment when his master laid hold of the bucket to draw it towards him, because he had then a nice evolution to make, either to recede or advance a little. It was pleasing to observe with what steadiness and regularity the poor animal performed his labour.

DESCENDING THE ALPS.

The manner in which the asses descend the precipices of the Alps, is truly extraordinary. In the passes of these mountains, there are often on one side lofty eminences, and on the other frightful abysses; and as these generally follow the direction of the mountains, the roads instead of lying on a level, forms at every little distance steep declivities of several hundred yards downwards. These can only

be descended by asses, and the animals themselves seem sensible of the danger from the caution which they use. When they come to the edge of one of the descents, they stop of themselves without being checked by the rider; and if he inadvertently attempts to spur them on, they are immoveable. They seem all this time ruminating on the danger that lies before them, and preparing themselves for the encounter; they not only attentively view the road, but tremble and snort at the danger. Having resolved on the descent, they put their fore feet in a posture as if they were stopping themselves; they then also put their hinder feet together, but a little forward, as if they were going to lie down. In this attitude, having taken a survey of the road, they slide down with the swiftness of a meteor. In the meantime all that the rider has to do, is to keep himself fast in the saddle, without checking the rein; for the least motion is sufficient to disorder the equilibrium of the ass, in which case both must unavoidably perish. Their address in this rapid descent is quite amazing; for in their swiftest motion, when they might seem to have lost all government of themselves, they follow the different windings of the road, as if they had previously settled in their minds the route they were to follow, and taken every precaution for their safety.

FRIENDSHIP A GUIDING STAR.

Mr. Blaine, in his "Canine Pathology," relates, that a gentleman brought from Newfoundland a dog of the true breed, which he gave to his brother, who re-

sided in the neighbourhood of Thames Street ; but who having no other means of keeping the animal except in close confinement, preferred sending him to a friend living in Scotland. The dog, who had been originally disembarked at Thames Street, was again re-embarked at the same place, on board a Berwick smack. During his stay in London, he had never travelled half a mile from the spot where he was landed. He had, however, contracted an affection for his master ; and when he arrived in Scotland, his regret at the separation induced him to take the first opportunity of escaping ; and though he certainly had never before travelled one yard of the road, yet he found his way back in a very short time to his former residence in London, but in so exhausted a state, that he had only time to express his joy at seeing his master, and expired within an hour after his arrival.

VISITING ANTS.

M. Homberg relates, that there is a species of ants at Surinam, which the inhabitants call visiting ants. They march in troops, with the same regularity as a large and powerful army. As soon as they appear, all the coffers and chests of drawers in the house are set open for them, as they are sure to exterminate all the rats, and mice, and other noxious animals, acting as if they had a peculiar commission from nature to destroy them. The only misfortune is, they pay their visits too seldom ; they would be welcome every month, but they do not appear sometimes for three years together.

LION AND HIS KEEPER.

In the menagerie at Brussels, there is a lion called Danco, whose cage was lately in want of some repairs. His keeper desired a carpenter to set about it, but when the workman came and saw the lion, he started back with terror. The keeper entered the animal's cage, and led him to the upper part of it, while the lower was refitting. He there amused himself for some time playing with the lion, and being wearied, he soon fell asleep. The carpenter fully relying upon the vigilance of the keeper, pursued his work with rapidity, and when he had finished, he called him to see what was done. The keeper made no answer. Having repeatedly called in vain, he began to feel alarmed at his situation, and he determined to go to the upper part of the cage, where, looking through the railing, he saw the lion and the keeper sleeping side by side. He immediately uttered a loud cry; the lion, awakened by the noise, started up and stared at the carpenter with an eye of fury, and then placing his paw on the breast of the keeper, lay down to sleep again. At length, the keeper was awakened by some of the attendants, and he did not appear in the least apprehensive on account of the situation in which he found himself, but shook the lion by the paw, and then gently conducted him to his former residence.

MAKING SURE.

During the war between Augustus Cæsar and Marc Antony, when all the world stood wondering and uncertain which way Fortune would incline herself, a poor man at Rome, in order to be prepared for making, in either event, a bold hit for his own advancement, had recourse to the following ingenious expedient. He applied himself to the training of two crows with such diligence, that he brought them the length of pronouncing with great distinctness, the one a salutation to Cæsar, and the other a salutation to Antony. When Augustus returned conqueror, the man went out to meet him with the crow suited to the occasion, perched on his fist, and every now and then it kept exclaiming, *Salve, Cæsar, Victor, Imperator!* Hail, Cæsar, Conqueror and Emperor! Augustus, greatly struck and delighted with so novel a circumstance, purchased the bird of the man for a sum which immediately raised him into opulence.

IMMOVEABLE FIDELITY.

A dog, between the breed of a mastiff and a bulldog, belonging to a chimney-sweeper, laid, according to his master's orders, on a soot-bag, which he had placed inadvertently almost in the middle of a narrow back street, in the town of Southampton. A loaded coal cart passing by, the driver desired the dog to move out of the way. On refusing, he was scolded, then beaten, first gently, and afterwards with the smart application of the cart-whip; all to

no purpose. The fellow, with an oath, threatened to drive over the dog—he did so, and the faithful animal in endeavouring to arrest the progress of the wheel, by biting it, was crushed to pieces.

FILIAL AFFECTION.

Mr. Turner, who resided long in America, mentions an affecting trait in the character of the bison, when a calf. Whenever a cow bison falls by the murderous hand of the hunters, and happens to have a calf, the hapless young one, far from attempting to escape, stays by its fallen dam with signs expressive of the strongest natural affection. The body of the dam thus secured, the hunter takes no heed of the calf, of which he knows he is sure, but proceeds to cut up the carcase; then laying it on his horse, he returns home followed by the poor calf, which instinctively attends the remains of its dam. Mr. Turner says, that he has seen a single hunter ride into the town of Cincinnati, followed in this manner by three calves, which seemed each to claim of him the parent of whom he had cruelly bereft it.

Two spaniels, mother and son, were self-hunting in Mr. Drake's woods, near Amersham, in Bucks. The gamekeeper shot the mother; the son frightened, ran away for an hour or two, and then returned to look for his mother. Having found her dead body, he laid himself down by her, and was found in that situation the next day by his master, who took him home, together with the body of the mother. Six weeks did this affectionate creature refuse all conso-

lation, and almost all nutriment. He became at length universally convulsed, and died of grief.

TAME HARES.

In Borlase's Natural History of Cornwall, we have an account of a hare which was so domesticated, as to feed from the hand, lay under a chair in a common sitting room, and appear in every other respect as easy and comfortable in its situation as a lap dog. It now and then went out into the garden ; but after regaling itself with the fresh air, always returned to the house as its proper habitation. Its usual companions were a greyhound and a spaniel, with whom it spent its evenings, the whole three sporting and sleeping together on the same hearth. What makes the circumstance more remarkable is, that the greyhound and spaniel were both so fond of hare-hunting, that they used often to go out coursing together, without any person accompanying them ; they were like the "*sly couple*," of whose devotion to the chase an amusing instance has been already recorded.

Dr. Townson, the traveller, when at Gottingen, had brought a young hare to such a degree of frolicsome familiarity, that it would run and jump about his sofa and bed ; leap upon, and pat him with its fore feet ; or whilst he was reading, knock the book out of his hands, as if to claim, like a fondled child, the exclusive preference of his attention.

GRATEFUL RETURN.

A favourite house dog, left to the care of its master's servants at Edinburgh, while he was himself in the country, would have been starved by them if it had not had recourse to the kitchen of a friend of its master's, which in better days it had occasionally visited. On the return of its master, it enjoyed plenty at home, and stood in no further need of the liberality it experienced ; but still it did not forget that hospitable kitchen where it had found a resource in adversity. A few days after, the dog fell in with a duck, which, as he found in no private pond, he probably concluded to be no private property. He snatched up the duck in his teeth, carried it to the kitchen where he had been so hospitably fed, laid it at the cook's feet, with many polite movements of the tail, and then scampered off with much seeming complacency at having given this testimony of his grateful sense of favours.

ASSISTING THE AGED.

M. de Boussanelle, captain of cavalry in the regiment of Beauvilliers, mentions, that a horse belonging to his company, being, from age, unable to eat his hay or grind his oats, was fed for two months by two horses on his right and left, who eat with him. These two horses, drawing the hay out of the rack, chewed it, and then put it before the old horse, and did the same with the oats, which he was then able to eat.

OYSTER OPENING.

Gemelli Carreri, in his Voyage round the World, relates a circumstance concerning the orang-otang in its wild state, which is indicative of very considerable powers, both of reflection and invention. When the fruits on the mountains are exhausted, they will frequently descend to the sea coast, where they feed on various species of shell-fish, but in particular on a large sort of oyster, which commonly lies open on the shore. "Fearful," he says, "of putting in their paws lest the oyster should close and crush them, they insert a stone as a wedge within the shell; this prevents it from closing, and they then drag out their prey, and devour it at leisure." Milo of old might have saved his life, had he been only half as wise.

SAVING FROM DROWNING.

A native of Germany, fond of travelling, was pursuing his course through Holland, accompanied by a large dog. Walking one evening on a high bank which formed one side of a dyke or canal, so common in that country, his foot slipped, and he was precipitated into the water, and being unable to swim, soon became senseless. When he recovered his recollection, he found himself in a cottage, on the contrary side of the dyke to that from which he fell, surrounded by peasants who had been using the

means generally practised in that country for the recovery of drowned persons. The account given by the peasants was, that one of them returning home from his labour, observed at a considerable distance a large dog in the water, swimming and dragging, and sometimes pushing, something that he seemed to have great difficulty in supporting ; but which he at length succeeded in getting into a small creek on the opposite side to that on which the men were.

When the animal had drawn what the peasant now perceived to be a man, as far out of the water as he was able, he began to lick the hands and face of his master, until the man hastened across, and procuring assistance, had the body conveyed to a neighbouring house, where the resuscitating means used, soon restored him to sense and recollection. It appeared that the dog had swam with his master upwards of a quarter of a mile, holding him by the nape of the neck, and thus keeping his head above water.

MARINE BAROMETERS.

A dog of the pointer kind, brought from South Carolina in an English merchant vessel, was a remarkable prognosticator of bad weather. Whenever he was observed to prick up his ears, scratch the deck, and rear himself to look to the windward, whence he would eagerly snuff up the wind ; if it was then the finest weather imaginable, the crew were sure of a succeeding tempest ; and the dog became so useful, that whenever they perceived the fit upon him, they immediately unreefed the sails, and took in their spare canvass, to prepare for the

worst. Other animals are prognosticators of weather also; and there is seldom a storm at sea, but it is foretold by some of the *natural* marine barometers on board, many hours before the gale. Cats and pigs, for instance, perceiving, though we cannot, the alteration in the atmosphere, by some effect it has on their bodies, will run about like wild creatures. The cat will dance up and down the shrouds, gnaw the ropes, and divert herself with every thread that stirs. The pigs will race about, bite one another, and commence perfect posture-masters, though they get many a kick for it from the apprehensive sailor. May not the popular saying of "pigs seeing the wind," have had its origin from this circumstance? Poultry on ship board also, before the approach of windy weather, are greatly disturbed, beating their wings about their coops, drooping prodigiously, and making a low mournful kind of cackling.

DIVISION OF LABOUR.

The Alpine marmots are said to act in concert in the collection of materials for the construction of their habitations. Some of them, we are told, cut the herbage, others collect it into heaps; a third set serve as waggons to carry it to their holes; while a fourth perform all the functions of draught horses. The manner of the latter part of the curious process is this. The animal who is to serve as the waggon, lies down on his back, and extending his four limbs as wide as he can, allows himself to be loaded with hay; and those who are to be the draught horses,

trail him thus loaded by the tail, taking care not to upset him. The task of thus serving as the vehicle being evidently the least enviable part of the business, is taken by every one of the party in turn. "I have often," says Mr. Beauplan, in his Description of the Ukrain, "seen them practise this, and have had the curiosity to watch them at it for days together."

BISSET, THE ANIMAL TEACHER.

Few individuals have presented so striking an instance of patience and eccentricity, as Bisset, the extraordinary teacher of animals. He was a native of Perth, and an industrious shoemaker, until the notion of teaching the quadruped kind attracted his attention in the year 1759. Reading an account of a remarkable horse shown at St. Germain, curiosity led him to try his hand on a horse and a dog, which he bought in London, and he succeeded beyond all expectation. Two monkeys were the next pupils he took in hand, one of which he taught to dance and tumble on the rope, whilst the other held a candle in one paw for his companion, and with the other played a barrel organ. These antic animals he also instructed to play several fanciful tricks, such as drinking to the company, riding and tumbling on a horse's back, and going through several regular dances with a dog. Being a man of unwearied patience, three young cats were the next objects of his tuition. He taught these domestic tigers to strike their paws in such directions on the dulcimer, as to produce several regular tunes, having music books before them, and squalling at the same time in different keys or

tones, first, second, and third, by way of concert. He afterwards was induced to make a public exhibition of his animals, and the well known *cat's opera* was advertised in the Haymarket ; the horse, the dog, the monkeys, and the cats, went through their several parts with uncommon applause to crowded houses ; and in a few days, Bisset found himself possessed of near a thousand pounds, to reward his ingenuity.

This success excited Bisset's desire to extend his dominion over other animals, including even the feathered kind. He procured a young leveret, and reared it to beat several marches on the drum with its hind legs, until it became a good stout hare. He taught canary birds, linnets, and sparrows, to spell the name of any person in company, to distinguish the hour and minute of time, and play many other surprising fancies : he trained six turkey cocks to go through a regular country dance ; but in doing this, confessed he adopted the eastern method, by which camels are made to dance, by heating the floor. In the course of six months' teaching, he made a turtle fetch and carry like a dog ; and having chalked the floor and blackened its claws, could direct it to trace out any given name in the company. He trained a dog and cat to go through many amazing performances. His confidence even led him to try experiments on a gold fish, which he did not despair of making perfectly tractable. But some time afterwards a doubt being started to him, whether the obstinacy of a pig could not be conquered, his usual patient fortitude was devoted to the experiment. He bought a black sucking pig, and trained it to lie under the stool on which he sat at work. At various intervals during six or seven

months, he tried in vain to bring the young boar to his purpose; and despairing of every kind of success, he was on the point of giving it away, when it struck him to adopt a new mode of teaching, in consequence of which, in the course of sixteen months, he made an animal supposed the most obstinate and perverse in nature, to become the most tractable. In August, 1783, he once again turned itinerant, and took his learned pig to Dublin, where it was shown for two or three nights at Ranelagh. It was not only under full command, but appeared as pliant and good natured as a spaniel. When the weather having made it necessary he should remove into the city, he obtained the permission of the chief magistrate, and exhibited the pig in Dame Street. "It was seen," says the author of *'Anthologia Hibernica,'* "for two or three days by many persons of respectability, to spell without any apparent direction the names of those in the company; to cast up accounts, and to point out even the words thought of by persons present; to tell exactly the hour, minutes, and seconds; to point out the married; to kneel, and to make his obeisance to the company," &c. &c. Poor Bisset was thus in a fair way of "bringing his pig to a good market," when a man, whose insolence disgraced authority, broke into the room without any sort of pretext, assaulted the unoffending man, and drew his sword to kill the swine, an animal that in the practice of good manners was at least superior to his assailant. The injured Bisset pleaded in vain the permission that had been granted him; he was threatened to be dragged to prison. He was constrained to return home, but the agitation of his mind threw him into a fit of illness, and he died a few days after at Chester on his way to London.

SONNINI AND HIS CAT.

M. Sonnini, when in Egypt, had an Angora cat, of which he was extremely fond. It was entirely covered with long white silken hairs; its tail formed a magnificent plume, which the animal elevated at pleasure over its body. Not one spot, nor a single dark shade, tarnished the dazzling white of its coat. Its nose and lips were of a delicate rose colour. Two large eyes sparkled in its round head; one was of a light yellow, and the other a fine blue.

This beautiful animal had even more loveliness of manners than grace in its attitude and movements. With the physiognomy of goodness, she possessed a gentleness truly interesting. However ill any one used her, she never attempted to advance her claws from their sheaths. Sensible to kindness, she licked the hand which caressed, and even that which tormented her. In Sonnini's solitary moments, she chiefly kept by his side; she interrupted him often in the midst of his labours or meditations, by little caresses extremely touching, and generally followed him in his walks. During his absence she sought and called for him incessantly, with the utmost inquietude. She recognized his voice at a distance, and seemed on each fresh meeting with him to feel increased delight.

“This animal,” says Sonnini, “was my principal amusement for several years. How was the expression of her attachment depicted upon her countenance? How many times have her tender caresses made me forget my troubles, and console me in my misfortunes? My beautiful and interesting companion, however, at

length perished. After several days of suffering, during which I never forsook her, her eyes constantly fixed on me, were at length extinguished; and her loss rent my heart with sorrow."

THE WOODPECKER.

The ivory-billed woodpecker of America, stands at the head of his species. His appearance and his manners have a dignity in them superior to the common herd of woodpeckers. Wherever he frequents, he leaves numerous monuments of his industry behind him. We there see enormous pine trees, with cart loads of bark lying around their roots, and chips of the trunk itself, in such quantities, as to suggest the idea that half a dozen of axe-men had been at work there for the whole morning. The body of the tree is also disfigured with such numerous and such large excavations, that one can hardly conceive it possible for the whole to be the work of a woodpecker. With such strength, and an apparatus so powerful, what havoc might not numbers of his species commit on the most useful of our forest trees; and yet, with all these appearances, and much of vulgar prejudice against him, it may fairly be questioned, whether he is at all injurious, or, at least, whether his exertions do not contribute most powerfully to the protection of the timber. Examine closely the tree where he has been at work, and you will soon perceive that it is neither from motives of mischief or amusement that he slices off the bark, or digs his way into the trunk—for the sound and healthy tree is not the object of his attention. The diseased trees, infested with insects, and hastening to putrefaction, are his favourites; there the

deadly crawling enemy have formed a lodgement between the bark and tender wood, to drink up the very vital part of the tree. It is the ravages of these vermin, which the intelligent proprietor of the forest deploras as the sole perpetrators of the destruction of his timber. Would it be believed that the larvæ of an insect, or fly, no longer than a grain of rice, should silently, and in one season, destroy some thousand acres of pine trees, many of them from two to three feet in diameter, and a hundred and fifty feet high? Yet, whoever passes along the high road from George Town to Charleston, in South Carolina, about twenty miles from the former place, can have striking and melancholy proofs of this fact. In some places, the whole woods, as far as you can see around you, are dead, stripped of the bark, their wintry-looking arms and bare trunks bleaching in the sun, and tumbling in ruins before every blast, presenting a frightful picture of desolation.

One of these woodpeckers slightly wounded in the wing, was locked in a room in an inn for about an hour, during which time he had made an effort to escape. He had mounted along the side of the window, nearly as high as the ceiling, a little below which he had begun to break through. The floor was covered with large pieces of plaster; the lath was exposed for at least fifteen inches square, and a hole large enough to admit the hand, opened to the weather boards, so that in less than another hour, he would certainly have succeeded in making his way through.

CRAB FISHING.

Brickell, in his "History of North Carolina," gives the following instance of the extraordinary cunning manifested by the Raccoon. It is fond of crabs, and when in quest of them, will stand by the side of a swamp, and hang its tail over into the water; the crabs mistaking it for food, are sure to lay hold of it; and as soon as the beast feels them pinch, he pulls them out with a sudden jerk. He then takes them to a little distance from the water's edge; and in devouring them, is careful to get them cross ways in his mouth, lest he should suffer from their nippers.

WILD HERDS.

In the province of Cumana, there are immense numbers of wild horses in the forests. They live there in societies, generally to the number of five or six hundred, and even one thousand; they occupy immense savannas, where it is dangerous to disturb, or to try to catch them. In the dry season, they are sometimes obliged to go two or three leagues, and even more, to find water. They set out in regular ranks, four abreast, and thus form a procession of an extent of a quarter of a league. There are always five or six scouts, who precede the troop by about fifty paces. If they perceive a man or an American tiger, they neigh, and the troop stops; if avoided, they continue their march; but if an attempt be made to pass across their squadron, they leap on the imprudent traveller, and crush him under their feet. The best

way is always to avoid them, and let them continue their route. They have also a chief, who marches between the scouts and the squadron; a kind of adjutant, whose duty consists in hindering any individual from quitting the ranks. If any one attempts to straggle, either from hunger or fatigue, he is bitten till he resumes his place, and the culprit obeys with his head hanging down. Three or four chiefs march in the rear guard, at five or six paces from the troops.

The wild asses, when they travel, observe the same discipline as horses; but males, though they also live in troops, are continually fighting with each other, and it has not been observed that they have any chief. At the appearance of a common enemy, however, they unite and display still more tricks and address than the horses, in avoiding the snares which are laid for catching them, and also in escaping when taken.

WHITE-HEADED EAGLE.

In the United States of America, there is a species of eagle called the white-headed or bald eagle, which feeds equally on the produce of the sea and of the land, but is particularly fond of fish. In procuring the latter, he displays in a very singular manner his cunning and his power, which bear down all opposition. "Elevated," says Wilson, in his *American Ornithology*, "on the high dead limb of some gigantic tree, that commands a high view of the neighbouring shore and ocean, he seems calmly to contemplate the motions of the various feathered tribes that pursue their busy avocations below; the snow-white gulls, slowly win-

nowing the air ; the busy tringæ, coursing along the sands ; trains of ducks streaming over the surface ; silent and watchful cranes, intent and wading ; clamorous crows ; and all the winged multitudes that subsist by the bounty of this vast liquid magazine of nature. High over all these hovers one, whose action instantly arrests all attention. By his wide curvature of wing, and sudden suspension in the air, he knows him to be the fish-hawk, settling over some devoted victim of the deep. His eye kindles at the sight, and, balancing himself with half-opened wings on the branch, he watches the result. Down, rapid as an arrow from heaven, descends the distant object of his attention, the roar of its wings reaching the ear as it disappears in the deep, making the surges foam around ! At this moment the looks of the eagle are all ardour ; and levelling his neck for flight, he sees the fish-hawk once more emerge, struggling with his prey, and mounting in the air with screams of exultation. This is the signal for the eagle, who, launching into the air, instantly gives chase, and soon gains on the fish-hawk ; each exerts his utmost power to mount above the other, displaying in these rencontres the most elegant and sublime aërial evolutions. The unencumbered eagle rapidly advances, and is just on the point of reaching his opponent, when with a sudden scream, probably of despair and honest execration, the latter drops his fish ; the eagle, poising himself for a moment, as if to take a more certain aim, descends like a whirlwind, snatches it in his grasp ere it reaches the water, and bears his ill-gotten booty silently away into the woods."

These predatory attacks and defensive manœuvres

of the eagle and the fish-hawk, are matters of daily observation along the whole of the sea coast, from Georgia to New England, and frequently excite great interest in the spectators.

THE TAILOR BIRD.

The tailor bird of Hindostan is so called from its instinctive ingenuity in forming its nest. It first selects a plant with large leaves, and then gathers cotton from the shrub, spins it to a thread by means of its long bill and slender feet, and then, as with a needle, sews the leaves neatly together to conceal its nest. How applicable are the following lines in the *Musæ Seatonianæ*, to this ingenious bird :

“ Behold a bird’s nest,
Mark it well within, without !
No tool had he that wrought ; no knife to cut,
No nail to fix ; no bodkin to insert,
No glue to join ; his little beak was all ;
And yet how neatly finished ! what nice hand,
With every implement and means of art,
Could compass such another ?”

INFALLIBLE THIEF CATCHER.

An English gentleman, visiting a public garden at St. Germain, in France, accompanied by a large mastiff, was refused admittance for his dog, whom he therefore left to the care of the body guards, who were stationed at the gate. Some time after, the gentleman returned, and informed the guards that he had lost his watch, and told the serjeant that if he

would permit him to take in the dog, he would soon discover the thief. His request being granted, he made the dog understand by a motion what he had lost; the animal immediately ran about among the company, and traversed the garden for some time. At length, it seized hold of a man; the gentleman insisted that he was the person who had got the watch, and on being searched, not only that watch, but six others, were discovered in his pockets. What is more remarkable, the dog possessed such perfection of instinct, as to take his master's watch from the other six, and carry it to him!

RARE HONESTY.

A mastiff dog, who owed more to the bounty of a neighbour than to his master, was once locked by mistake in the well-stored pantry of his benefactor for a whole day, where milk, butter, bread, and meat, within his reach, were in abundance. On the return of the servant to the pantry, seeing the dog come out, and knowing the time he had been confined, she trembled for the devastation which her negligence must have occasioned; but on close examination, it was found that the honest creature had not tasted of any thing, although, on coming out, he fell on a bone that was given to him, with all the voraciousness of hunger.

CONNOISSEUR.

Mr. John Lockman, in some Reflections on Operas, prefixed to his musical drama of *Rosalinda*, mentions

a singular instance of the sense of melody evinced by a pigeon. Being at the house of Mr. Lee, a gentleman in Cheshire, whose daughter was an excellent performer on the harpsichord, he observed a pigeon which, whenever the young lady played the song of "Speri si," in Handel's opera of Admetus, but upon no other occasion, would descend from an adjacent dove-house, to the window of the room where she sat, and listen, apparently with the most pleasing emotions, till the song was finished, when it immediately returned to the dove-house.

OF TWO EVILS CHOOSING THE LEAST.

A French dog was taught by his master to execute various commissions, and among others, to fetch him victuals from the *traiteurs* in a basket. One evening when the dog was returning to his master thus furnished, two other dogs, attracted by the savoury smell of the petits pâtés that this new messenger was carrying, determined to attack him. The dog put his basket on the ground, and set himself courageously against the first that advanced against him ; but while he was engaged with the one, the other ran to the basket, and began to help himself. At length, seeing that there was no chance of beating both the dogs, and saving his master's dinner, he threw himself between his two opponents, and without further ceremony, quickly despatched the remainder of the petits pâtés himself, and then returned to his master with the empty basket.

DUTY BEFORE REVENGE.

A gentleman residing in the City of London, was going one afternoon to his country cottage, accompanied by Cæsar, a favourite Newfoundland dog, when he recollected that he had the key of a cellaret which would be wanted at home during his absence. Having accustomed his dog to carry things, he sent him back with the key; the dog executed his commission, and afterwards rejoined his master, who discovered that he had been fighting, and was much torn about the head. The cause he afterwards learned, on his return to town in the evening. Cæsar while passing with the key, was attacked by a ferocious butcher's dog, against whom he made no resistance, but tore himself away, without relinquishing his charge. After delivering the key in town, he returned the same way, and on reaching the butcher's shop from which he had been so rudely assailed, he stopped and looked out for his antagonist; the dog sallied forth; Cæsar attacked him with a fury which nothing but revenge for past wrongs could have animated; nor did he quit the butcher's dog until he had laid him dead at his feet.

THE MOCKING BIRD.

The intelligence (says Wilson) which the American mocking bird displays in listening to, and laying up lessons, from almost every species of the feathered creation within his hearing, is really

surprising, and marks the peculiarity of his genius. He possesses a voice full, strong, and musical, and capable of almost every modulation, from the clear mellow notes of the wood thrush, to the savage scream of the bald eagle. In the measure and accent, he faithfully follows his originals. In force and sweetness of expression, he greatly improves upon them. In his native groves, mounted on the top of a tall bush or half grown tree, in the dawn of a dewy morning, while the woods are already vocal with a multitude of warblers, his admirable song rises pre-eminent over every competitor. Neither is this strain altogether imitative. His own native notes, which are easily distinguishable, are bold and full, and varied seemingly beyond all limits. They consist of short expressions of two, three, or at most five or six syllables, generally interspersed with imitations, and all of them uttered with great emphasis and rapidity, and continued with undiminished ardour. The buoyant gaiety of his action arresting the eye, as his song most irresistably does the ear, he sweeps round with an enthusiastic ecstasy; he mounts and descends as his song swells or dies away; and, as it has been beautifully expressed, "he bounds aloft with the celerity of an arrow, as if to recover or recal his very soul, expired in the last elevated strain." While exerting himself, a bystander, destitute of sight, would suppose that the whole feathered tribe had assembled together on a trial of skill, each striving to produce his utmost effect, so perfect are his imitations. He many times deceives the sportsman, and sends him in search of birds that perhaps are not within miles of him, but whose notes he exactly

imitates : even birds themselves are frequently imposed on by this admirable mimic, and are decoyed by the fancied calls of their mate, or dive with precipitation into the depth of the thickets, at the scream of what they suppose to be the sparrow-hawk.

The mocking bird loses little of the power and energy of his song by confinement. In his domesticated state, when he commences his career of song, it is impossible to stand by uninterested. He whistles for the dog ; Cæsar starts up, wags his tail, and runs to meet his master. He squeaks out like a hurt chicken, and the hen hurries about with hanging wings and bristled feathers, clucking to protect her injured brood. The barking of the dog, the mewing of the cat, the creaking of a passing wheelbarrow, follow with great truth and rapidity. He repeats the tune taught him by his master, though of considerable length, fully and faithfully. He runs over the quiverings of the canary, and the clear whistlings of the Virginia Nightingale, or red bird, with such superior execution and effect, that the mortified songsters feel their own inferiority, and become altogether silent, while he seems to triumph in their defeat by redoubling his exertions.

This excessive fondness for variety, however, in the opinion of some, injures his song. His elevated imitations of the brown thrush are frequently interrupted by the crowing of cocks ; and the warblings of the blue-bird, which he exquisitely manages, are mingled with the screaming of swallows, or the cackling of hens ; amidst the simple melody of the robin, we are suddenly surprised by the shrill reiterations of

the whip-poor-will ; while the notes of the kill-deer, blue jay, martin, and twenty others, succeed with such imposing reality, that we look round for the originals, and discover, with astonishment, that the sole performer in this singular concert is the admirable bird now before us. During this exhibition of his powers, he spreads his wings, expands his tail, and throws himself round the cage in all the ecstasy of enthusiasm, seeming not only to sing, but to dance, keeping time to the measure of his music. Both in his native and domesticated state, during the solemn stillness of night, as soon as the moon rises in silent majesty, he begins his delightful solo ; and serenades us the livelong night with a full display of his vocal powers, making the whole neighbourhood ring with his inimitable medley.

INCONSOLABLE GRIEF.

In the parish of St. Olave, Tooley Street, Borough, the church-yard is detached from the church, and surrounded with high buildings, so as to be wholly inaccessible but by one large close gate. A poor tailor of this parish dying, (says Mr. Blaine, in his "Canine Pathology,") left a small cur dog inconsolable for his loss. The little animal would not leave his dead master even for food ; and whatever he eat, was obliged to be placed in the same room with the corpse. When the body was removed for burial, this faithful attendant followed the coffin. After the funeral, he was hunted out of the church-yard by the sexton. The next day he again found the animal, who had made his way by some unaccountable means into

the enclosure, and had dug himself a bed on the grave of his master. Once more he was hunted out, and again he was found in the same situation the following day. The minister of the parish hearing of the circumstance, had him caught, taken home and fed, and endeavoured by every means to win the animal's affections; but they were inseparably wedded to his late master, and he took the first opportunity to escape, and regain his lonely situation. With true benevolence, the worthy clergyman permitted him to follow the bent of his inclinations; but to soften the rigour of his fate, he built him a small kennel upon the grave, which was replenished once a day with food and water. Two years did this mirror of fidelity pass in this manner, till death put an end to his griefs.

THE DOLPHIN.

The dolphin was in great repute amongst the ancients for its love to the human race; it was consecrated to the gods, and was honoured with the title of the Sacred Fish.

Pliny has the following, among other most marvellous instances of this love for mankind, which he confesses he would have been ashamed to relate, had they not been set down for truth in many veritable chronicles. In the reign of Augustus Cæsar, he tells us that there was a dolphin in the Lucrine lake, which formed a most romantic attachment to a poor man's son. The boy had to go every day from Baiæ to Puteoli to school, and such was the friendly terms on which he had got with the dolphin, that he had only to wait by the

banks of the lake, and cry *Simo, Simo*, the name he had given to the animal, when, lo ! *Simo* came scudding to the shore, let fall the sharp prickles of his skin, and gently offered his back for the boy to mount upon. The boy, nothing afraid, used to mount instantly, when the dolphin, without either rein or spur, would speed across the sea to Puteoli, and after landing the young scholar, wait about the vicinity till he was returning home, when it would again perform the same sort of civil service. The boy was not ungrateful for such extraordinary favour, and used every day to bring a good store of victuals for *Simo*, which the animal would take from his hand in the most tame and kindly manner imaginable. For several years this friendly intercourse was kept up ; it was, in fact, only terminated by the death of the boy ; when, as the story goes, the dolphin was so affected at seeing him return no more, that it threw itself on the shore, and died, *as was thought*, of very grief and sorrow !

Wonderful as this story is, it is not without its fellow. Plutarch says, that “ there was in the city of Jassos, a boy called Hermias, (Qu. *Hermes*,) who had also formed such a friendship with a dolphin, that he used in the same way to ride on its back over the sea. It happened on one occasion of this kind, that a great storm arose, and the boy unable to keep his seat, was drowned. The dolphin brought the dead body of its lost friend to shore, and as if reproaching itself for having been the cause of the calamity, would return to the sea no more, but launching itself on the sand, lay there till it expired.”

In all cases of shipwreck, the dolphin was believed to be in waiting, to rescue and carry on shore the un-

fortunate mariners. Arion, the musician, when thrown overboard by the pirates, is said to have been indebted for his life to this animal.

“ But, past belief, a dolphin’s arched back
Preserved Arion from his destin’d wrack ;
Secure he sits, and with harmonious strains
Requites the bearer for his friendly pains.”

Whence all these incredible stories originated, it is difficult to conjecture ; for there is this insuperable objection to giving credence to them, that the dolphins of modern times exhibit no such marks of peculiar attachment to mankind. If they attend on vessels navigating the ocean, it is in the expectation of plunder, and not of rendering assistance in cases of distress. By the seamen of the present day, they are held in abhorrence rather than esteem, for their frolics on the surface of the water are almost always the sure signs of an approaching gale.

SNAKE DESTROYERS.

Mr. Percival, in his account of the Island of Ceylon, speaking of the Indian *Ichneumon*, a small creature in appearance between the weasel and the mongoose, says it is of infinite use to the natives from its inveterate enmity to snakes, which would otherwise render every footstep of the traveller dangerous. This diminutive creature on seeing a snake ever so large, will instantly dart on it, and seize it by the throat, provided he finds himself in an open place, where he has an opportunity of running to a certain herb, which he knows instinctively to be an antidote against the

poison of the bite, if he should happen to receive one. Mr. Percival saw the experiment tried in a closed room, where the Ichneumon, instead of attacking his enemy, did all in his power to avoid him. On being carried out of the house, however, and laid near his antagonist in the plantation, he immediately darted at the snake, and soon destroyed it. It then suddenly disappeared for a few minutes, and again returned, as soon as it had found the herb and ate it.

The monkey in India, knowing by instinct the malignity of the snakes, are most vigilant in their destruction ; they seize them when asleep by the neck, and running to the nearest flat stone, grind down the head by a strong friction on the surface, frequently looking at it, and grinning at their progress. When convinced that the venomous fangs are destroyed, they toss the reptiles to their young ones to play with, and seem to rejoice in the destruction of the common enemy.

WATER SCENTERS.

A recent traveller in Buenos Ayres and Chili states, that the cattle there will scent the water at a considerable distance, and are even sensible of the approach of rain. In the course of his progress from Buenos Ayres to Mendoza, he observed this quality which the cattle possessed. They had been long without water, and had sent the negroes to look out for a spring, when the cattle began to stretch out their necks and raise their heads towards the west, as if they would be certain of obtaining drink, could they

but raise themselves in the air. At that moment, not a cloud or a breath of air was to be seen or felt; but in a few minutes the cattle began to move about as if mad, or possessed by some invisible spirit, snuffing the air with most violent eagerness, and gathering closer and closer to each other; and before we could form any rational conjecture, as to what could occasion their simultaneous motion, the most tremendous storm came on of thunder and lightning, and the rain fell in perpendicular streams, as if all the fountains of heaven were suddenly broke loose, so that the cattle easily drank their fill at the spot on which they stood.

MUSICAL MICE.

Though the great naturalist, Linnæus, in speaking of the common mouse, said, “*delectatur musica*,” yet so little was it credited, that Gmelin omitted mentioning this feature in his edition of “*Linnæus’s Systema Naturæ*.” Subsequently, however, the assertion has been satisfactorily confirmed. Dr. Archer of Norfolk, in the United States, says, “On a rainy evening in the winter of 1817, as I was alone in my chamber, I took up my flute and commenced playing. In a few minutes my attention was directed to a mouse that I saw creeping from a hole, and advancing to the chair in which I was sitting. I ceased playing, and it ran precipitately back to its hole; I began again shortly afterwards, and was much surprised to see it re-appear, and take its old position. The appearance of the little animal was truly delightful; it couched itself on the floor, shut its eyes, and appeared in ecstasy; I

ceased playing, and it instantly disappeared again. This experiment I repeated frequently with the same success, observing that it was always differently affected, as the music varied from the slow and plaintive, to the brisk or lively. It finally went off, and all my art could not entice it to return."

A more remarkable instance of this fact appeared in the "Philadelphia Medical and Physical Journal," in the year 1817. It was communicated by Dr. Cramer, of Jefferson's county, on the credit of a gentleman of undoubted veracity, who states, that "one evening in the month of December, as a few officers on board a British man of war, in the harbour of Portsmouth, were seated round the fire, one of them began to play a plaintive air on the violin. He had scarcely performed ten minutes, when a mouse apparently frantic, made its appearance in the centre of the floor. The strange gestures of the little animal, strongly excited the attention of the officers, who with one consent resolved to suffer it to continue its singular actions unmolested. Its exertions now appeared to be greater every moment—it shook its head, leaped about the table, and exhibited signs of the most ecstatic delight. It was observed, that in proportion to the gradation of the tones to the soft point, the feelings of the animal appeared to be increased, and *vice versâ*. After performing actions which an animal so diminutive would at first sight seem incapable of, the little creature, to the astonishment of the delighted spectators, suddenly ceased to move, fell down, and expired without evincing any symptoms of pain."

SPIDER'S WEB.

To put the ingenuity of the spider to the test, a gentleman frequently placed one on a small upright stick, and surrounded the base with water. After having discovered that the ordinary means of retreat are cut off, it ascends the point of the stick, and standing nearly on its head, ejects its web, which the wind readily carries to some contiguous object. Along this the sagacious insect effects its escape, not however until it has ascertained, by several exertions of its whole strength, that its web is properly attached to the other end.

In the year 1710, Mr. Bon communicated to the Society of Sciences at Montpellier, a discovery which he had made respecting spiders, whose silk, he said, furnished by their webs, was much finer and more plentiful than that of silk worms. The Duke de Noailles, he added, had ordered a pair of stockings to be spun of the spider's silk, which was presented to the Duchess of Burgundy, and acknowledged by her and the whole of the court to be of very extraordinary fineness. In consequence of this discovery, M. de Reaumur was directed by the society to make the necessary experiments; which, however, terminated unsuccessful, on account of the difficulty of breeding the spiders, and the great number required to produce any quantity of silk. M. de Reaumur says, that 288 spiders would only furnish as much silk as one silk worm; and that it would take 663,552 to make a pound of silk. For these reasons, therefore, the scheme,

which was one of great ingenuity, seems to have been abandoned.

WATER PONY.

A little girl, the daughter of a gentleman in Warwickshire, playing on the banks of a canal which run through his grounds, had the misfortune to fall in, and would in all probability have been drowned, had not a little pony which had been long kept in the family, plunged into the stream, and brought the child safely ashore, without the slightest injury.

TAKING THE WATER.

A Newfoundland dog kept at the ferry-house at Worcester, was famous for having at different periods saved three persons from drowning; and so fond was he of water, that he seemed to consider any disinclination to it in other dogs, as an insult on the species. If a dog was left on the bank by its master, under the idea that it would be obliged to follow the boat across the river, which is narrow, and if, as was not uncommon, it stood yelping at the bottom of the steps, unwilling to take the water, the old dog would go down to him, and with a satirical growl, as if in mockery, take him by the back of the neck, and throw him into the river.

SOLICITING SUCCOUR.

A party of a ship's crew being sent ashore on a part of the coast of India, for the purpose of cutting wood

for the ship, one of the men having strayed from the rest was greatly frightened by the appearance of a large lioness, who made towards him; but on her coming up, she lay down at his feet, and looked very earnestly first at him, and then at a tree a short distance off. After repeating her looks several times, she arose, and proceeded onwards to the tree, looking back several times, as if wishing the man to follow her. At length he ventured, and coming to the tree, he perceived a huge baboon with two young cubs in her arms, which he supposed were those of the lioness, as she couched down like a cat, and seemed to eye them very steadfastly. The man being afraid to ascend the tree, decided on cutting it down, and having his axe with him, he set actively to work, when the lioness seemed most attentive to what he was doing. When the tree fell, she sprung upon the baboon, and after tearing him in pieces, she turned round and licked the cubs for some time. She then returned to the man and fawned round him, rubbing her head against him in great fondness, and in token of her gratitude for the service he had done her. After this, she took the cubs away one by one, and the man returned to the ship.

CONVEYING INTELLIGENCE.

Dr. Franklin, upon discovering a number of ants regaling themselves with some treacle in one of his cupboards, put them to the rout, and then suspended the pot of treacle from the ceiling by a string. He imagined he had put the whole army to flight, but was surprised to see a single ant quit the pot, climb up the string, cross the ceiling, and regain its nest. In less

than half an hour, several of its companions sallied forth, traversed the ceiling, and reached the depository, which they constantly visited until the treacle was consumed. The doctor was therefore of opinion, that ants were enabled to communicate their ideas to each other.

In a memoir published in the "Transactions of the French Academy," an account is given of a solitary ant, that was taken from its nest, and thrown upon a heap of corn; it was observed, after surveying this treasure, to hasten immediately back to its residence, where it doubtless communicated to its associates the intelligence; for the granary was very soon filled with visitors, and the corn carried off.

Smith, in his "New Voyage to Guinea," relates what he calls "a remarkable story of these gentry," the ants. He says, "If the ants have not a language (as many people believe they have), yet they certainly have some method or other whereby they easily make themselves to be understood, as I have often experienced in the following manner. When I have seen two or three straggling ants upon the hunt, I have killed a cockroach, and thrown it down before them. As soon as they have found what it was, they have sent one away for help, while the others have stayed and watched the dead body, till he returned at the head of a large posse; and if they have not been able to carry off the cockroach, another has been detached and sent away, who has soon returned with a fresh supply, sufficient to carry off their prey."

CHARITABLE CANARY.

In the vicinity of Inverness, a goldfinch's nest, with six young ones, was taken; the old pair were likewise secured, and the whole family put into a double cage, with a pair of canaries, which had a brood of young; there was a division of wire work between the cages. At first the goldfinches seemed careless about their young ones; but the cock canary, attracted by their cries, forced itself through a flaw in the wires, and began to feed them; an operation which it continued regularly, until the goldfinches undertook the office themselves, and rendered the humanity of the canary no longer necessary.

ANTS IN A FLOOD.

D'Azara informs us, that during the inundations of the low districts in South America, when the ant hills, which are usually about three feet in height, are completely under water, the ants avail themselves of an ingenious contrivance to prevent their being carried to any distance from their habitation. With this view, and for their greater security, they collect into a compact mass, and keep firm hold of each other, previously attaching one of the extremities to some neighbouring plant or fixed point of support, leaving the other end free, and floating on the surface of the water as long as the inundation, which usually lasts a few days, continues.

POWER OF MEMORY.

A singular instance of the memory of ants, is related by M. Huber in his "Natural History." He says, "I took in the month of April, an ant hill from the woods, for the purpose of populating my large glazed apparatus; but having more ants than I had occasion for, I gave liberty to a number in the garden of the house where I lived. The latter fixed their abode at the foot of a chesnut tree. The former became the subject of some private observations. I noticed them four months, without allowing them to quit my study; at this time, wishing them nearer to a state of nature, I carried the hive into the garden, and placed it ten or fifteen paces from the natural ant hill. The prisoners profiting by my negligence of not renewing the water which blockaded the passage, escaped, and ran about the environs of their abode. The ants established near the chesnut tree, met and *recognized* their former companions; fell to mutual caresses; with their antennæ took them up by their mandibles, and led them to their own nests; they came presently in a crowd to seek the fugitives, under and about the artificial ant hill, and even ventured to reach the bell glass, where they effected a complete desertion, by carrying away successively all the ants they found there. In a few days, the hive was depopulated. These ants had remained four months without any communication."

PUGNACITY.

The town of Bindrabund in India, is in high estimation with the pious Hindoos, who resort to it from the most remote parts of the empire. The town is embosomed in groves of trees, which (says Major 'Thorn) are the residence of innumerable apes, whose propensity to mischief is increased by the religious respect paid to them in honour of Hunaman, a divinity of the Hindoo mythology, wherein he is characterized under the form of an ape. In consequence of this degrading superstition, such numbers of these animals are supported by the voluntary contributions of pilgrims, that no one dares to resist or ill-treat them. Hence, access to the town is often difficult; for should one of the apes take an antipathy against any unlucky traveller, he is sure to be assailed by the whole community, who follow him with all the missile weapons they can collect, as pieces of bamboo, stones, and dirt, making at the same time a most hideous howling. Of the danger attending a rencontre with enemies of this description, a melancholy instance occurred in the year 1808. Two young cavalry officers, belonging to the Bengal army, having occasion to pass this way, were attacked by a body of apes, at whom one of the gentlemen inadvertently fired. The alarm instantly drew the whole body, with the fakeers, out of the place, with so much fury, that the officers, though mounted upon elephants, were compelled to seek their safety in flight; and in endeavouring to pass the Jumna, they both perished.

Another instance of the audacity of the ape in attacking the human species, is related by Mollien, in his *Travels in Africa*. A woman going with millet and milk to a vessel from St. Louis, which had stopped before a village in the country of Galam, was attacked by a troop of apes, from three to four feet high; they first threw stones at her, on which she began to run away; they then ran after her, and having caught her, they beat her with sticks until she let go what she was carrying. On her return to the village, she related her adventure to the principal inhabitants, who mounted their horses, and followed by their dogs, went to the place which served as a retreat to this troop of apes; they fired at them, killed ten, and wounded others, which were brought to them by the dogs; but several negroes were severely wounded in this encounter, either by the stones hurled at them by the apes, or by their bites; the females especially were most furious in revenging the death of their young ones, which they carried in their arms.

STRANGE MOUSER.

A gentleman near Exeter had in his possession a hen, which answered the purpose of a cat in destroying mice. She was constantly seen watching close to a corn rick, and the moment a mouse appeared, she seized it in her beak, and carried it to a meadow adjoining, where she would play with it like a young cat for some time, and then kill it. She has been known to catch four or five mice a day in this manner.

THE BEAVER.

So much that is wonderful has been recorded of the beaver, that several intelligent writers have not scrupled to express a belief, that it possesses but little of that surprising sagacity and skill ascribed to it. One of the latest writers on the subject, however, Mr. Joseph Sansum, of New York, gives an account of the Canadian beaver, which confirms the general character given of their habits and physical economy. He tells us, that in the deep recesses of Canadian forests, where the beaver is undisturbed by man, it is a practical example of almost every virtue, of conjugal fidelity and paternal care ; laborious, thrifty, frugal, honest, watchful, and ingenious. He submits to government in the republican form, for the benefits of association ; but is never known, in the most powerful communities, to make depredations upon his weaker neighbours. Wherever a number of these animals come together, they immediately combine in society, to perform the common business of constructing their habitations, apparently acting under the most intelligent design. The Indians were in the habit of prognosticating the mildness or severity of the ensuing winter, from the quantity of provisions laid in by the beavers for their winter's stock. Though there is no appearance indicating the authority of a chief or leader, yet no contention or disagreement is ever observed among them. When a sufficient number of them are collected to form a town, the public business is first attended to ; and as they are amphibious animals, provision is to be made for spending their time,

occasionally both in and out of the water. In conformity to this law of their nature, they seek a situation which is adapted to both these purposes.

With this view a lake or pond, sometimes a running stream, is pitched upon. If it be a lake or pond, the water in it is always deep enough to admit of their swimming under the ice. If it be a stream, it is always such a stream as will form a pond that shall be every way convenient for their purpose; and such is their forecast, that they never fix upon a situation that will not eventually answer their views. Their next business is to construct a dam. This is always placed in the most convenient part of the stream; the form of it is either straight, rounding, or angular, as the peculiarities of the situation require; and no human ingenuity could improve their labours in these respects. The materials they use are wood and earth. They choose a tree on the river side, which will readily fall across the stream; and some of them apply themselves with diligence to cut it through with their teeth. Others cut down smaller trees, which they divide into equal and convenient lengths. Some drag these pieces to the brink of the river, and others swim with them to the spot where the dam is forming.

As many as can find room, are engaged in sinking one end of these stakes; and as many more in raising, fixing, and securing the other ends of them. Others are employed, at the same time, in carrying on the plastering part of the work. The earth is brought in their mouths, formed into a kind of mortar with their feet and tails, and this is spread over the intervals between the stakes, saplings, and twigs, being occasionally interwoven with the mud and slime.

Where two or three hundred beavers are united, these dams are from six to twelve feet thick at the bottom ; at the top, not more than two or three. In that part of the dam which is opposed to the current, the stakes are placed obliquely ; but on that side where the water is to fall over, they are placed in a perpendicular direction. These dams are sometimes a hundred feet in length, and always of the exact height which will answer their purposes. The ponds thus formed, sometimes cover five or six hundred acres. They generally spread over grounds abounding with trees and bushes of the softest wood, maple, birch, poplar, willow, &c. and, to preserve the dams against inundation, the beaver always leaves sluices near the middle, for the redundant water to pass off.

When the public works are completed, the beavers separate into small companies, to build cabins or houses for themselves. These are built upon piles, along the borders of the pond. They are of an oval construction, resembling a bee-hive ; and they vary from five to ten feet in diameter, according to the number of families they are to accommodate. These dwellings are never less than two stories high, generally three ; and sometimes they contain four apartments. The walls of these are from two to three feet thick, formed of the same materials with the dams. On the inside, they are made smooth, but left rough without, being rendered impenetrable to rain. The lower story is about two feet high, the second is formed by a floor of sticks covered with mud, and the upper apartment terminates with an arched roof. Through each floor there is a passage, and the uppermost floor is always above the level of the water. Each of these huts has two

doors, one on the land side, to admit of their going out and seeking provisions that way ; another under the water, and below where it freezes, to preserve their communication with the pond.

No association of people can possibly appear more happy, or be better regulated, than the tribe of beavers. The male and female always pair. In September, they lay up their winter's stock, which consists of bark and the tender twigs of trees. Then commences the season of love and repose ; and during the winter they remain within, every one enjoying the fruits of his own labour, without pilfering from any other.

Towards spring, the females bring forth their young, to the number of three or four. Soon after, the male retires to gather firs and vegetables, as the spring opens ; but the dam remains at home, to nurse and rear up their young. The male occasionally returns home, but not to tarry, until the end of the year ; yet, if any injury should happen to their works, the whole society are soon collected, by some unknown means, and they join all their forces to repair the injury which has been sustained.

Whenever an enemy approaches their village, the beaver who first perceives the unwelcome stranger, strikes on the water with his tail, to give notice of the approaching danger ; and the whole careful tribe instantly plunge into the water.

In a state of nature, undisturbed by barbarous and selfish man, this provident animal lives fifteen or twenty years, and prepares the way for several generations, adapting his dwellings to the increase of his family,

STUPENDOUS ANT-HILL.

The termites, or white ants, so abundant in Africa, construct their habitations of an astonishing magnitude; they frequently exceed twelve feet in height, and are so firmly cemented, as to bear the pressure of several men at the same time. It often happens, that while a herd of wild cattle are quietly grazing below, one of their body is stationed on them as sentinel, to give timely notice of approaching danger. The termites begin constructing their habitations by raising, at little distances from each other, several turrets of compact clay, in the shape of sugar loaves; upon this they erect others; those in the centre run to the greatest height; they afterwards cover in the spaces between them, and then take down the sides of all the inner turrets, leaving only the upper portion to form the cupola or dome, making use of the clay they thus procure, in the formation of the several chambers intended for magazines, nurseries, &c. The nurseries are entirely composed of wooden materials, enclosed in chambers of clay, usually half an inch in width, ranged round, and as close as possible to the royal apartment. The royal chamber, which, as well as the rest, is arched over, occupies as nearly as possible the centre of the building, and is on a level with the surface of the ground; it is at first only an inch in length, but increases in size with that of the queen. In this chamber the king and queen are retained close captives; it is impossible they can ever quit it, the entrance only allowing of the passing and repassing of the soldiers and la-

bourers. In an ant-hill of such extensive size, and where there is such an infinity of chambers to accommodate its numerous inhabitants, there must be of necessity a vast number of subterraneous and winding passages. These passages, which conduct to the upper parts of the dome, are carried in a spiral manner round the building, for the labourers find it extremely difficult to ascend in a less circuitous direction. Very frequently, however, to shorten the distance to the upper nurseries, where they have to take the eggs, they project an arch of about ten inches in length, and half an inch in breadth, grooved or worked into steps, on its upper surface, to allow of a more easy passage. When the insects quit their nest on any expedition, they construct covered galleries of clay, which sometimes run to a considerable distance, and under this they continue their extensive and highly dreaded depredations.

CALL-BIRDS.

The call-birds employed by bird catchers, manifest a most malicious joy in bringing the wild ones into the same state of captivity. Their sight and hearing infinitely excel those of the bird catcher. The instant the wild birds are perceived, notice is given by one of the rest of the call-birds : after which, follows the same tumultuous ecstasy and joy. The call-birds, while the bird is at a distance, do not sing as a bird does in a chamber ; they invite the wild ones by what the bird catchers call short jerks, which, when the birds are good, may be heard at a great distance ; the effect of this call or invitation is so great, that the wild

bird is stopped in its course of flight, and if not already acquainted with the nets, lights boldly within twenty yards of perhaps three or four bird catchers, which otherwise it would have noticed; nay, it frequently happens, that if half a flock only are caught, the remaining half will immediately afterwards light in the nets, and share the same fate; and should only one bird escape, that bird will suffer itself to be pulled at till it is caught: such is the fascinating influence of the call-birds.

THE PUFFIN.

The courage and industry of the puffin in rearing and preserving its young, is almost incredible, and few birds or beasts will venture to attack it in its retreats, which are winding burrows in the earth, eight or ten feet deep. When the great sea raven approaches, the puffin catches him under the throat with his beak, sticks his claws into his breast, and in vain the tortured animal attempts to get away, for the little bird sticks close to the invader, nor lets go his hold till they both come to the sea, where they drop down together, and the raven is generally drowned.

THE ANT LION.

There are some animals that, from living almost entirely on ants, have obtained the name of ant eaters: the woodpecker often makes an abundant repast on them; it catches them by means of its glutinous tongue. But the most ingenious contrivance to entrap ants, (says Dr. Johnson, the translator of Huber's

work), is that practised by a little insect termed the ant lion. This insect, in its larva state, can walk no other way than backward; it is therefore evident that its prey must come immediately within its reach, since it is unprovided with the means of advancing to secure it. To effect this, it forms a conical cavity of about two inches in depth, in a loose dry sandy soil. It commences its operations by describing a circle in the sand; it then takes its station within, and moving in a retrograde direction, shovels up the sand with its fore feet on the back part of its head, which is flat and square, from which, by a sudden jerk, it is projected to the distance of several inches. As its work proceeds, it describes smaller circles within the first, until they are reduced to almost a mere point. On its meeting any impediment to its labours, such as small stones, it places them one by one on its head, and if possible, jerks them beyond the mouth of the pit; failing of this, it endeavours to deposit its load at the entrance of its cavern, by mounting backward with cautious steps. Its residence being finished, it occupies the lower part, concealing its body by a coating of sand. Here it quietly remains, until some stray ant, passing this way, and venturing to cross the sides of the pit, is carried by the sliding sand within the grasp of the oppressor. It sometimes happens, that the ant, on perceiving its danger, endeavours to scramble up the embankment; but our wary friend, unwilling to be deprived of his long-expected meal, shakes off his usual inactivity, and by a timely shower of sand, seldom fails of bringing down his victim.

MIGRATION OF THE SWALLOW.

The mystery which attends the retreat of the swallows from our northern climes during winter, is one which promises little hope of ever being solved. To whatever clime or part of the world they proceed, their flight is at an elevation far beyond the reach of human optics. With the first ray of the morning they depart so directly upwards, as to elude all research ; and with the first dawn of day they return, but whence no man can tell ; they drop as from the clouds, and take up their abode in their former haunts, as if they had just left them the hour before.

The preparation for their annual flight is marked by some interesting circumstances. After the swallows have got their second brood, which is generally about the middle of September, they devote the whole of the remaining time to training the young for their ultimate flight. The regularity and order with which this is done, is extraordinary. After the business of the food gathering is over, they assemble in multitudes from all quarters in one general convention, on the roof of some building, or on some large tree. While the assembly are seated together, one who seems commander-in-chief keeps aloft on the wing, flying round and round ; at last darting upwards with great swiftness with a loud, sharp, and repeated call, he seems as if he gave the word of command ; instantly the whole flock are on the wing, rising upwards in the most beautiful spiral track, till they attain regions beyond the reach of human view. They remain in the upper regions of the atmosphere from a quarter to half an hour, when

they all return by scores and dozens, to the place whence they took their flight. This manœuvre they will repeat twice or three times in the evening, when the weather is fair ; and after ten or twelve days of such practising, they take their final departure for the season.

The theory of their submerging during winter is now, we believe, generally regarded as all a dream. It has arisen, apparently, from an optical illusion which is very well explained in the following anecdote related by Mr. Gavin Inglis. (Phil. Mag. vol. lii.) “On the 11th of April, 1812, returning from Glasgow with a friend, we stopped at Kinross to corn our horses, and take a parting dinner. Before dinner was ready, we took a turn down to the old chapel ; and returning by the loch (lake) side, we both expressed our astonishment at the vast assemblage of swallows, the first we had seen that season, hovering over the surface of a corner of the lake. ‘What,’ said my companion, ‘can the creatures have emerged from the water? Some people assert that they hibernate at the bottom of lakes and rivers. It must be so : see, there is one just risen.’ To a superficial observer, they had certainly all the appearance of just emerging from the bosom of the lake. But looking attentively, we perceived them regularly descending in a slanting direction, and take something from the surface of the water, in which exercise they always in skimming struck the water with their breast, dashing a spray around them, which looked very much like to shaking the water from their wings. This I have since observed a thousand times, in the swallow skimming the river or mill dam, catching the water flies, but which to

persons not interesting themselves in the result, and at some little distance from the scene of action, is certainly very delusive, and without a close inspection, apt to leave the impression of their emerging from the water, upon the mind. The weather was still cold, and not a fly abroad in the air to support them; no doubt remained with us, of their thus gathering food; an idea in which we were soon strengthened, by stepping down to the edge of the lake, where we saw the surface of the water all along the shore, and as far as the eye could reach, swarming with insects, in appearance like gross gunpowder, and the water itself filled with the maggot of a water fly, upon which there can be no doubt whatever the birds were feeding."

Some similar occurrences have doubtless given birth to the theory of submerging; and Mr. Daines Barrington, and others, who so confidently assert, that they have seen them with their own eyes rising out of lakes and rivers, and shaking the water from their wings, must have been deceived with their eyes open.

Buffon tells us, that a shoemaker in Basle, anxious to obtain a solution of this singular mystery, put a collar on a swallow, containing an inscription to this effect:

"Pretty swallow tell me whither goest thou in winter?"

In the ensuing spring, he received by the same courier the following answer:

"To Anthony of Athens:—Why dost thou inquire?"

Assuming the story to be true, it is pretty evident that the answer must have been the work of some wag much nearer than Athens: for both Belon and Aristotle

assure us, that though the swallows live half the year in Greece, they always pass the winter in Africa. A better answer to the son of St. Crispin would have been, "*Nesutor ultra crepidam*;" and in any future edition of Buffon, the story would not lose any thing by substituting this as *the real fact*.

ENVY.

Three birds had built their nests almost contiguous to each other. A swallow had erected her's in one corner of the piazza of a house; a phebe in the opposite corner; and a wren possessed a little box which had been made on purpose, and hung between. All these birds were quite tame. The wren began at last to show signs of dislike to the box which had been given to it, though it was not known on what account. At length it resolved, small as it was, to drive the swallow from its nest, and take possession of it, and astonishing to say, it succeeded. "Impudence," says Mr. St. John, who tells the story, "gets the better of modesty; and this exploit was no sooner performed, than the wren removed every material to its own box with the most admirable dexterity. The signs of triumph appeared very visible; it fluttered with its wings with uncommon velocity; and an universal joy was perceivable in all its movements. The peaceable swallow, like the passive quaker, meekly sat at a small distance, and never offered the least opposition. But no sooner was the plunder carried away, than the injured bird went to work with unabated ardour, and in a few days the depredations were repaired."

For the honour of the wren species, it deserves to be noticed, that there seems some doubt whether this envious spoiler was really a wren. Mr. St. John is supposed to have confounded it with the common creeper.

TALKING POLITICS.

Gesner quotes a letter from a person, as he says, of credit, in which there is a strange story of two nightingales belonging to an innkeeper at Ratisbon, having been so infected by the sort of conversation indulged in by some officers or deputies of the diet, who frequented the tavern—nay, so wonderfully edified by it, that they used to spend the whole night in discoursing on the political interests of Europe! This is very ridiculous; but not more so than the story to which no less a philosopher than Pliny has given the sanction of his authority, of the two sons of the Emperor Claudius having given some nightingales so classical an education, that they could speak both Greek and Latin fluently, and every day invent some new expressions of their own.

Such fables only deserve mention, to show how little even Instinct, in its humble way, is exempt from misrepresentation, and how little reason avails, to prevent very wise men from talking at times as if they were without it.

CARRIER'S DOG.

A carrier on his way to Dumfries, had occasion to stop at some houses by the road side, in the way of

his business, leaving his cart and horse upon the public road, under the protection of a passenger and a trusty dog. Upon his return, he missed a led horse, belonging to a gentleman in the neighbourhood, which he had tied to the end of the cart, and likewise one of the female passengers. On inquiry, he was informed that, during his absence, the female, who had been anxious to try the mettle of the pony, had mounted it, and that the animal had set off at full speed. The carrier expressed much anxiety for the safety of the young woman, casting at the same time an expressive look at his dog. Oscar observed his master's eye, and aware of its meaning, instantly set off in pursuit of the pony, which he came up with soon after he had past the first toll-bar on the Dalbeattie road, when he made a sudden spring, seized the bridle, and held the animal fast. Several people having observed the circumstance, and the perilous situation of the girl, came to relieve her; Oscar, however, notwithstanding their repeated endeavours, would not quit his hold, and the pony was actually led into the stable with the dog, till such time as the carrier should arrive. Upon the carrier entering the stable, Oscar wagged his tail in token of satisfaction, and immediately relinquished the bridle to his master.

STRATAGEM.

The bears in Kamischatka have recourse to a singular stratagem in order to catch the bareins, which are much too swift of foot for them. These animals keep together in large herds; they frequent mostly the low grounds, and love to browse at the feet of rocks and precipices.

The bear hunts them by scent till he comes in sight, when he advances warily, keeping above them, and concealing himself among the rocks, as he makes his approaches, till he gets immediately over them, and near enough for his purpose. He then begins to push down with his paws, pieces of rock among the herd below. This manœuvre is not followed by any attempt to pursue, until he finds he has maimed one of the flock, upon which a course immediately ensues, that proves successful or otherwise, according to the hurt the barcin has received.

HUMANE SOCIETY.

Dr. Percival, in his "Dissertations," mentions the following singular and affecting instance of that sagacity and social feeling by which the race of rooks is characterized. "A large colony of rooks had subsisted many years in a grove on the banks of the river Irwell, near Manchester. One serene evening I placed myself within view of it, and marked with attention the various labours, pastimes, and evolutions of this crowded society. The idle members amused themselves with chasing each other through endless mazes; and in their flight, they made the air sound with an infinitude of discordant noises. In the midst of these playful exertions, it unfortunately happened that one rook by a sudden turn, struck his beak against the wing of another. The sufferer instantly fell into the river. A general cry of distress ensued. The birds hovered with every expression of anxiety over their distressed companion.

Animated by their sympathy, and perhaps by the language of counsel known to themselves, he sprang

into the air, and by one strong effort reached the point of a rock which projected into the river. The joy became loud and universal; but, alas! it was soon changed into notes of lamentation, for the poor wounded bird, in attempting to fly towards his nest, dropped again into the river and was drowned, amid the moans of his whole fraternity."

FOX CHASING.

During a fox chase in Lanarkshire, Reynard being hard pressed, was reduced to the necessity of taking refuge up a chimney of one of the hot-houses in Hamilton Castle. He was followed by one of the hounds, who, passing through a flue upwards of fifty feet in length, came out at the top of the chimney, but missed Reynard in his murky recess. By this time a number of people were collected at the top of the chimney, who let down a terrier, who soon made him come in view, holding fast by his brush.

"ONE SWALLOW DOES NOT MAKE SUMMER."

The frequent appearance of single swallows on the verge of summer, many days before the general arrival of the tribe, has given rise to the common proverb, that "one swallow never made summer." They seem as if, like Noah's dove, they were despatched from the main body to spy and report on the appearance of the earth, or to find the longitude or latitude of their flight. A diligent observer of nature assures us, that the first of these scouts who arrives at the old

haunt of a colony, will remain, as it were, to take and keep possession; and that a second and third will arrive, but after a short time will go away again, doubtless to convey intelligence to the main body of the state in which matters are, before they attempt their general migration.

MURDER PREVENTED.

In a village, situated between Caen and Vire, on the borders of the district called the Grove, there dwelt, says M. Huet, Bishop of Avranches, a peasant of a surly untoward temper, who frequently beat and abused his wife, insomuch, that the neighbours were sometimes obliged by her outcries to interpose, in order to prevent farther mischief. At length, weary of living with one whom he hated, he resolved to make away with her. He pretended to be reconciled, altered his conduct, and on holidays invited her to walk out with him. One evening in summer, after a very hot day, he carried her to cool and repose herself on the borders of a spring, in a shady and solitary place. He affected to be very thirsty, and the clearness of the water tempted both of them to drink; but as soon as he saw his wife laying down and drinking, he threw himself upon her, and plunged her head into the water in order to drown her. She struggled hard, but could not have saved herself, had it not been for the assistance of a dog who used to follow her, and never left her company. He immediately flew upon the husband, seized him by the throat, made him quit his hold, and thus saved the life of his mistress.

ESCAPE OF JENGIS KHAN.

The Mogul and Kalmuc Tartars attribute to the white owl, the preservation of Jengis Khan, the founder of their empire ; and they pay it on that account almost divine honours. The prince, with a small army, happened to be surprised and put to flight by his enemies. Forced to seek concealment in a coppice, an owl settled on the bush under which he was hid. At the sight of this animal, the prince's pursuers never thought of searching the spot, conceiving it impossible that such a bird would perch where any human being was concealed. Jengis escaped, and ever after his countrymen held the white owl sacred, and every one wore a plume of its feathers on his head. The Kalmucs continue the custom to this day, at all their great festivals ; and some tribes have an idol in the form of an owl, to which they fasten the real legs of this bird.

DINNER BELL.

It is customary in large boarding houses to announce the dinner hour by the sound of a bell. A cat belonging to one of these houses always hastened to the hall on hearing the bell, to get its accustomed meal ; but it happened one day that she was shut up in a chamber, and it was in vain for her that the bell had sounded. Some hours after, having been emancipated from her confinement, she hastened to the hall, but found nothing left for her. The cat thus disappointed got to the bell, and sounding it, endeavoured to summon the family to a second dinner, in which she doubted not to participate.

THE SECRETARY FALCON.

M. le Vaillant gives an account of a remarkable engagement of which he was a witness, between the secretary falcon and a serpent. The serpent is the chief enemy of the falcon in all the countries which it inhabits, and the mode in which it wages war against it, is very peculiar. When the falcon approaches a serpent, it always carries the point of one of its wings forward, in order to parry off its venomous bites ; sometimes it finds an opportunity of spurning and treading upon its antagonist ; or else, of taking him upon its pinions, and throwing him into the air. When by this system it has, at length, wearied out its adversary, and rendered him almost senseless, it kills and swallows him at leisure. On the occasion which Vaillant mentions, the battle was obstinate, and conducted with equal address on both sides. The serpent, feeling at last his inferiority, endeavoured to regain his hole ; while the bird apparently guessing his design, stopped him on a sudden, and cut off his retreat by placing herself before him at a single leap. On whatever side the reptile endeavoured to make his escape, the enemy still appeared before him. Rendered desperate, the serpent resolved on a last effort. He erected himself boldly to intimidate the bird, and hissing dreadfully, displayed his menacing throat, inflamed eyes, and a head swollen with rage and venom. The falcon seemed intimidated for a moment, but soon returned to the charge ; and covering her body with one of her wings as a buckler, struck her enemy with the bony protuberance of the other. M.

Vaillant saw the serpent at last stagger and fall: the conqueror then fell upon him to despatch him, and with one stroke of her beak laid open his skull.

WASP HATCHING.

The wasp, during its existence as a perfect insect, attaches itself to flowers; when it is ready to lay its eggs, it digs a cylindrical hole in clayey sand, and deposits an egg at the bottom; it then goes among some cabbages, and seizes upon a small green caterpillar, which it had never before made its prey; this caterpillar the wasp pricks with its sting, so as to weaken it, in order that it may not make any resistance against the worm which is about to issue from the egg, and devour it; it then rolls it up into a circular form, and places it at the bottom of the hole; the wasp then proceeds to fetch eleven similar caterpillars successively, which it treats in the same manner; it then closes up the hole, and dies. The small worm is now hatched; it devours the twelve caterpillars in succession, and then metamorphoses itself into a wasp, which leaves its subterraneous apartment, and flies about among the flowers.

THE BATTLE FOUNDLING.

The Marquess of Worcester has a poodle dog which was taken from the grave of his master, a French officer who fell at the battle of Salamanca, and was buried on the spot. This dog had remained on the grave until he was nearly starved; and even then was

removed with difficulty ; so faithful was he to the remains of him he had tenderly loved.

MOUNTAIN SHEEP.

In the mountainous parts of Scotland and Wales, where the liberty the sheep enjoy renders them very wild, they exhibit a remarkable deviation from their generally timorous habit. A ram, or a wether, will often attack a single dog, and come off victorious ; and where the danger is beyond the power of one individual to repel, recourse is had to the collective force of the whole flock. On such occasions they have been seen forming themselves into a close compact body, with the females and young in the centre, whilst the males took the foremost ranks. Presenting thus an armed front on all sides, they wait with firmness the approach of the enemy ; nor does their courage fail them in the moment of attack ; for when the aggressor advances within a few yards of the line, the rams dart upon him with such impetuosity as to lay him dead at their feet, unless he saves himself by flight. Against the attacks of single dogs or foxes, when in this situation, they are perfectly secure.

FALSE ALARM.

A few years ago, a Mr. Rutter, doing duty at the castle of Cape Town, kept a tame baboon for his amusement. One evening it broke its chains unknown to him. In the night, climbing up into the belfry, it began to play with, and ring, the bell.

Immediately the whole place was in an uproar ; some great danger was apprehended. Many thought that the castle was on fire ; others, that an enemy had entered the bay, and the soldiers began actually to turn out, when it was discovered that the baboon had occasioned the disturbance. On the following morning a court-martial was held, when Cape Justice dictated, that whereas Master Rutter's baboon had unnecessarily put the castle into alarm, the master should receive fifty lashes ; Mr. R. however found means to evade the punishment.

UNION OF LABOUR.

A swallow's nest, built in the west corner of a window facing the north, was so much softened by rain beating against it, as to render it unfit to support the weight of a superincumbent load of five well-grown young swallows ; during a violent storm, the nest fell into the corner below, leaving the young brood exposed to all the fury of the blast. To save the poor creatures from an untimely death, the owner of the house benevolently caused a covering to be thrown over them, till the severity of the storm abated. No sooner had it subsided, than the sages of the colony assembled, fluttering round the window, and hovering over the temporary covering of the fallen nest. As soon as this careful anxiety was observed, the covering was removed, and the utmost joy evinced by the group, on finding the young ones alive and unhurt. After feeding them, the members of this assembled community arranged themselves into working order. Each division taking its appro-

priate station, fell instantly to work, and before night-fall, they had jointly completed an arched canopy over the young brood in the corner where they lay, and securely covered them against a succeeding blast. Calculating the time occupied by them in performing this piece of architecture, it appeared evident that the young must have perished from cold or hunger before any single pair could have executed half the job.

SAGACIOUS BRUIN.

The captain of a Greenland whaler being anxious to procure a bear, without wounding the skin, made trial of the stratagem of laying the noose of a rope in the snow, and placing a piece of kreng within it. A bear ranging the neighbouring ice, was soon enticed to the spot by the smell of burning meat. He perceived the bait, approached, and seized it in his mouth; but his foot at the same time, by a jerk of the rope, being entangled in the noose, he pushed it off with his paw, and deliberately retired. After having eaten the piece he had carried away with him, he returned. The noose, with another piece of kreng, being then replaced, he pushed the rope aside, and again walked triumphantly off with the kreng. A third time the noose was laid; but excited to caution by the evident observations of the bear, the sailors buried the rope beneath the snow, and laid the bait in a deep hole dug in the centre. The bear once more approached, and the sailors were assured of their success. But Bruin, more sagacious than they expected, after snuffing about the place for a few

moments, scraped the snow away with his paw, threw the rope aside, and again escaped unhurt with his prize.

BATTLES OF THE ANTS.

“Thus in battalia march embody’d ants.”

DRYDEN.

The wars entered into by ants of different size, bear no resemblance to those in which they combat with an equal force. When the large ants attack the small, they appear to do it by surprise; but when the small ants have time to guard against an attack, they intimate to their companions the danger with which they are threatened, when the latter arrive in crowds to their assistance. I have (says M. Huber) witnessed a battle between the herculean and sanguine ants; the herculean ants quitted the trunk of the tree in which they had established their abode, and reached the very gates of the dwelling of the sanguine ants; the latter, only half the size of their adversaries, had the advantage in point of number; they however acted on the defensive. The earth, strewed with the dead bodies of their compatriots, bore witness that they had suffered the greatest carnage; they therefore took the prudent part of fixing their habitations elsewhere, and with great activity transported to a distance of fifty feet from the spot, their companions and the several objects that interested them. Small detachments of the workers were posted at little distances from the nest, apparently placed there to cover the march of the recruits, and to preserve the city itself from any sudden attack. They

struck against each other when they met, and had always their mandibles separated in the attitude of defiance. As soon as the herculean ants approached their camp, the sentinels in front assailed them with fury; they fought at first in single combat. The sanguine ant threw himself upon the herculean ant, fastened on his head, and inundated it with venom. It sometimes quitted its antagonist with great quickness; more frequently, however, the herculean ant held between its feet its audacious enemy. The two champions then rolled themselves up in the dust, and struggled violently. The advantage was at first in favour of the largest ant; but its adversary was soon assisted by those of its own party, who collected round the herculean ant, and inflicted several deep wounds with their teeth. The herculean ant yielded to numbers; it either perished the victim of its temerity, or was conducted a prisoner to the enemy's camp.

Such are the combats between ants of different size; but if we wish to behold regular armies wage war in all its forms, we must visit those forests in which the fallow ants establish their dominion over every insect in their territory. It is in these forests (continues the same author) I have witnessed the inhabitants of two large ant hills, engaged in spirited combat. They were composed of ants of the same species, alike in their extent and population, and were situated about a hundred paces distance from each other. Two empires could not possess a greater number of combatants.

This prodigious crowd of insects covered the ground lying between the two ant-hills, and occu-

pying a space of two feet in breadth. Both armies met at half way from their respective habitations, and there the battle commenced. Thousands of ants took their station upon the highest ground, and fought in pairs, keeping firm hold of their antagonists ; a considerable number were engaged in the attack, and others in leading away prisoners. The latter made several ineffectual efforts to escape, as if aware that, upon their arrival, they would experience a cruel death. The scene of warfare occupied a space of about three feet square. Those ants composing groups and chains, took hold of each other's legs and pincers, and dragged their antagonists to the ground. These groups formed successively. The fight usually commenced by two ants, who seized each other by the mandibles. They were frequently so closely wedged together, that they fell upon their sides, and fought a long time in that situation in the dust, until a third came to decide the contest. It more commonly happened that both ants received assistance at the same time, when the whole four made ineffectual attempts to gain the battle. Ants of both parties joined then ; and it was in this way they formed chains of six, eight, or ten ants, all firmly locked together ; the equilibrium was only broken when several warriors from the same republic advanced at the same time, who compelled those that were enchained to let go their hold, when the single combats again took place.

On the approach of night, each party returned gradually to the city, which served it for an asylum. The ants, which were either killed or led away into captivity, not being replaced by others, the number

of combatants diminished until their force was exhausted.

The ants returned to the field of battle before dawn. The groups again formed ; the carnage recommenced with greater fury than on the preceding evening, and the scene of combat occupied a space of six feet in length, by two feet in breadth. Success was for a long time doubtful ; about mid-day the contending armies had removed to the distance of a dozen feet from one of their cities. The ants fought so desperately, that nothing could withdraw them from their enterprise ; they seemed absorbed in one single object, that of finding an enemy to contend with.

These wars offer something very surprising--the instinct which enables each ant to know his own party, even in the midst of the battle's rage. They sometimes attack those of their own party ; but on recognizing them, immediately relax their hold, and caress each other.

The common operations of the two colonies were not suspended during this warfare ; the paths which led to a distance in the forest, were as much crowded as in time of peace, and all around the ant-hill order and tranquillity prevailed, with the exception only of that side on which the battle was raging. A crowd of these insects were constantly to be seen setting off for the scene of combat, while others were returning with their prisoners. This war terminated without any disastrous results to the two republics ; long continued rains shortened its duration, and the warriors ceased to frequent the road which led to the camp of the enemy.

REFUGEE SQUIRREL.

In the year 1814, a squirrel was caught in Ledstone Park, near Ferry Bridge, and lodged for safe custody in a trap used for taking rats alive. Here he remained for several weeks, till at length, panting for liberty, he contrived to make his escape through a window, and repaired once more to his native fields. The family in which he had been a sportive inmate, were not a little vexed at the loss of their little favourite, and the servant was ordered in the evening of the same day to remove the trap, that they might no longer be reminded of their loss ; but on proceeding to discharge his duty, he found to his surprise that the squirrel, all wet and ruffled by the storm, had re-assumed his station, and again taken up his lodgings in a corner of the trap.

BEARS IN JEOPARDY.

A Greenland bear, with two cubs under its protection, was pursued across a field of ice by a party of armed sailors. At first she seemed to urge the young ones to an increase of speed, by running before them, turning round, and manifesting by a peculiar action and voice, her anxiety for their progress ; but finding her pursuers gaining upon them, she carried, or pushed, or pitched them alternately forward, until she effected their escape. In throwing them before her, the little creatures are said to have placed themselves across her path, to receive the impulse, and when projected some yards in advance, they ran onwards until she overtook

them, when they alternately adjusted themselves for another throw.

WHALE FISHING.

The maternal affection of the whale, which in other respects is apparently a stupid animal, is striking and interesting. The cub being insensible to danger, is easily harpooned, when the tender affection of the mother is so manifested, as not unfrequently to bring it within reach of the whalers. Hence, though a cub is of little value, yet it is sometimes struck as a snare for its mother. In this case she joins it at the surface of the water, whenever it has occasion to rise for respiration; encourages it to swim away; assists its flight by taking it under her fin; and seldom deserts it while life remains. She is then dangerous to approach, but affords frequent opportunities for attack. She loses all regard for her own safety, in anxiety for the preservation of her young; dashes through the midst of her enemies; despises the danger that threatens her, and even voluntarily remains with her offspring after various attacks have been made upon herself. In the whale fishery of 1814, a harpooner struck a young whale with the hope of its leading to the mother. Presently she arose, and seizing the young one, dragged about a hundred fathoms of line out of the boat, with remarkable force and velocity. Again she rose to the surface; darted furiously to and fro; frequently stopped short, or suddenly changed her direction, and gave every possible intimation of extreme agony. For a length of time she continued thus to act, though closely pursued by the

boats ; and inspired with courage and resolution by her concern for her offspring, seemed regardless of the danger that surrounded her. Being at length struck with six harpoons, she was killed.

LEAP-FROG.

The American Indians are known to be excellent runners, being almost able to match the swiftest horses. The bull frog of American swamps is also well known for its surprising power of leaping, often compassing three yards at one leap. In order to make a trial of its powers, some Swedes laid a wager with a young Indian, that he could not overtake a full grown bull frog, provided it had two leaps in advance. They caught one in a pond, and carried it into a field at some distance, where applying a burning faggot to its tail, the irritated animal bounded across the field towards the pond as fast as it could, the Indian following with all his might. The race was however no match ; the frog had regained the pond before the Indian was within many yards of it.

BEAR CUBS.

In the month of June, 1812, a female bear, with two cubs, approached near a whaler, and was shot. The cubs not attempting to escape, were taken alive. These animals, though at first evidently very unhappy, became at length in some measure reconciled to their situation, and being tolerably tame, were allowed occasionally to go at large about the deck. While the ship was moored to a floe, a few days after they were

taken, one of them having a rope fastened round his neck, was thrown overboard. It immediately swam to the ice, got upon it, and attempted to escape. Finding itself however detained by the rope, it endeavoured to disengage itself in the following ingenious way. Near the edge of the floe was a crack in the ice of considerable length, but only eighteen inches or two feet wide, and three or four feet deep. To this spot the bear turned ; and when on crossing the chasm, the bight of the rope fell into it, he placed himself across the opening ; then suspending himself by his hind feet, with a leg on each side, he dropped his head and most part of his body into the chasm ; and with a foot applied to each side of the neck, attempted for some minutes to push the rope over his head. Finding this scheme ineffectual, he removed to the main ice, and running with great impetuosity from the ship, gave a remarkable pull on the rope ; then going backward a few steps, he repeated the jerk. At length, after repeated attempts to escape this way, every failure of which he announced by a significant growl, he yielded himself to his hard necessity, and lay down on the ice in angry and sullen silence.

RETALIATION.

A wild stork was brought by a farmer in the neighbourhood of Hanburgh, into his poultry yard, to be the companion of a tame one, which he had long kept there ; but the tame stork disliking a rival, fell upon the poor stranger, and beat him so unmerciful that he was compelled to take wing, and with some difficulty

escaped. About four months afterwards, however, he returned to the poultry yard, recovered of his wounds, and attended by three other storks, who no sooner alighted, than they altogether fell upon the same stork and killed him.

NEWSMAN EXTRAORDINARY.

One of the carriers of a New York paper, called the Advocate, having become indisposed, his son took his place; but not knowing the subscribers he was to supply, he took for his guide a dog which had usually attended his father. The animal trotted on, a-head of the boy, and stopped at every door where the paper was in use to be left, without making a single omission or mistake.

NOBLE PERSEVERANCE.

Elephants were of old, employed in India, in the launching of ships. Ludolph relates, that one being directed to force a very large vessel into the water, the work proved superior to its strength; his master, with sarcastic tone, bid the keeper take away the lazy beast, and bring another: the poor animal instantly repeated his efforts, fractured his skull, and died on the spot.

OSTRICH RIDING.

Mr. Adamson, in his "Voyage to Senegal," &c. mentions, that during the time of his residence at Podor, a French factory on the banks of the river

Niger, there were two ostriches, though young, of gigantic size, which afforded him a very remarkable sight. "They were," he says, "so tame, that two little blacks mounted both together on the back of the largest. No sooner did he feel their weight, than he began to run as fast as possible, and carried them several times round the village, as it was impossible to stop him otherwise than by obstructing the passage. This sight pleased me so much, that I wished it to be repeated, and to try their strength, directed a full grown negro to mount the smallest, and two others the largest. This burthen did not seem at all disproportioned to their strength. At first they went at a tolerably sharp trot, but when they became heated a little, they expanded their wings as though to catch the wind, and moved with such fleetness, that they scarcely seemed to touch the ground. Most people have one time or other seen a partridge run ; and consequently know that there is no man whatever able to keep up with it ; and it is easy to imagine, that if this bird had a longer step, its speed would be considerably augmented. The ostrich moves like the partridge with this advantage ; and I am satisfied that those I am speaking of, would have distanced the fleetest race-horses that were ever bred in England. It is true they would not hold out so long as a horse ; but they would undoubtedly go over a given space in less time. I have frequently beheld this sight, which is capable of giving one an idea of the prodigious strength of an ostrich, and of shewing what use it might be of, had we but the method of breaking and managing it as we do a horse."

THE CATCHER CAUGHT.

During a sudden inundation of the Rhine, a hare unable to escape through the water to an eminence, climbed up a tree. One of the boatmen rowing about to assist the unfortunate inhabitants, observing puss, rowed up to the tree, and mounted it, eager for the game, without properly fastening his boat. The terrified hare, on the approach of its pursuer, sprang from the branch into the boat, which thus set in motion, floated away, leaving its owner in the tree in dread of being washed away by the current. After several hours anxiety, he was perceived and taken off by some of his companions.

STUDYING.

Plutarch tells us of a magpie belonging to a barber at Rome, which could imitate to a nicety almost every word it heard. Some trumpets happened one day to be sounded before the shop, and for a day or two afterwards the magpie was quite mute, and seemed pensive and melancholy. All who knew it were greatly surprised at its silence; and it was supposed that the sound of the trumpets had so stunned it, as to deprive it at once of both voice and hearing. It soon appeared, however, that this was far from being the case; for, says Plutarch, the bird had been all the time occupied in profound meditation, studying how to imitate the sound of the trumpets; and when at last master of it, the magpie, to the astonishment of all its friends, suddenly broke its long

silence, by a perfect imitation of the flourish of trumpets it had heard; observing with the greatest exactness all the repetitions, stops, and changes. The acquisition of this lesson had however exhausted the whole of the magpie's stock of intellect; for it made it forget every thing it had learned before.

FAITHFUL COMPANION.

Mr. Isaac Hall, gardener at Lenton Abbey, near Nottingham, in removing some rubbish, discovered two ground toads of an uncommon size, weighing no less than seven pounds. On finding them, he was surprised to see, that one of them got upon the back of the other, and both proceeded to move slowly on the ground towards a place of retreat; upon further examination he found, that the one on the back of the other had received a severe contusion from his spade, and was rendered unable to get away, without the assistance of its companion!

A MOTHER WATCHING HER YOUNG.

Abbé de la Pluche, in his *Spectacle de la Nature*, has the following singular instance of the far-sighted watchfulness of the turkey-hen over her young. "I have heard," he says, "a turkey-hen, when at the head of her brood, send forth the most hideous scream, without being able to perceive the cause; her young ones, however, immediately when the warning was given, skulked under the bushes, the

grass, or whatever else seemed to offer shelter or protection. They even stretched themselves at full length on the ground, and continued motionless, as if dead. In the meantime, the mother with her eyes directed upwards, continued her cries and screaming as before. On looking up in the direction in which she seemed to gaze, I discovered a black spot just under the clouds, but was unable at first to determine what it was ; however, it soon appeared to be a bird of prey, though at first at too great a distance to be distinguished. I have seen one of these animals continue in this agitated state, and her whole brood pinned down, as it were, to the ground for four hours together ; whilst their formidable foe has taken its circuits, has mounted and hovered directly over their heads ; at last, upon his disappearing, the parent changed her note, and sent forth another cry, which, in an instant, gave life to the whole trembling tribe, and they all flocked round her with expressions of pleasure, as if conscious of their happy escape from danger."

QUAIL FIGHTING.

The ancient Greeks and Romans used to make quails fight with each other in the same manner as the moderns do game cocks. The quail is an animal of undaunted courage, and will perish rather than yield. In the time of Augustus, there was one which had acquired such celebrity for its victories, that a certain Prefect of Egypt thought he could not pay the emperor a higher compliment, than by serving it up at

his table. Augustus, incensed at seeing so noble an animal put to so base a use, repaid the servility of the Prefect by ordering him to be put to death.

The fighting of quails is even at present a fashionable diversion in China, and in some parts of Italy.

VENTURING TO SEA.

In the year 1798, a covey of partridges having been disturbed by some men at plough, near East Dean, in Sussex, took their flight across the cliff to the sea, over which they continued their course about three hundred yards. Either intimidated or otherwise affected by that element, the whole were then observed to drop into the water. Twelve of them were soon afterwards floated by the tide to the shore, where they were picked up by a boy, who carried them to Eastbourne, and sold them.

DECEIVING THE FCWLER.

Mr. Markwick relates, that “ as he was once hunting with a young pointer, the dog ran on a brood of very small partridges. The old bird cried, fluttered, and ran trembling along just before the dog’s nose, till she had drawn him to a considerable distance ; when she took wing and flew farther off, but not out of the field. On this the dog returned nearly to the place where the young ones lay concealed in the grass ; which the old bird no sooner perceived, than she flew back again, settled first before the dog’s nose, and a second time acted the same part, rolling and tumbling

about till she drew off his attention from the brood, and thus succeeded in preserving them."

A HANGER ON.

The trumpeter bird, in its tame state, has a habit of following persons through the streets and out of town, even those whom it has never seen before. It is difficult to get rid of it; if a person enters a house, it will wait his return and again join him, though after an interval of some hours. M. de la Borde says, that he has sometimes betaken himself to his heels to get rid of them, but to no purpose. They sped faster than he could, and always got before him; when he stopped, they stopped also; wherever he moved, they were at his elbow. He says he knew one that invariably followed all the strangers who entered its master's house, accompanied them into the garden, took as many turns there as they did, and attended them back again.

THE STRAY SHEEP.

"I once witnessed," says the Ettrick Shepherd, "a very singular feat performed by a dog belonging to John Graham, late tenant in Ashiesteel. A neighbour came to his house after it was dark, and told him that he had lost a sheep on his farm, and that if he (Graham) did not secure her in the morning early, she would be lost, as he had brought her far. John said he could not possibly get to the hill next morning, but if he would take him to the very spot where he lost the sheep, perhaps his dog Chieftain would find

her that night. On that they went away with all expedition, lest the traces of the feet should cool ; and I, then a boy, being in the house, went with them. The night was pitch dark, which had been the cause of the man losing his ewe, and at length he pointed out a place to John by the side of the water where he had lost her. ‘Chieftain! fetch that,’ said John ; ‘bring her back, sir.’ The dog jumped round and round, and reared himself upon an end ; but not being able to see anything, evidently misapprehended his master, on which John fell to scolding his dog, calling him a great many hard names. He at last told the man that he must point out *the very track* that the sheep went, otherwise he had no chance of recovering it. The man led him to a grey stone, and said, he was sure she took the brae (hill side) within a yard of that. ‘Chieftain, come hither to my foot, you great numb’d whelp,’ said John. Chieftain came. John pointed with his finger to the ground. ‘Fetch that, I say, sir—bring that back ; away.’ The dog scented slowly about on the ground for some seconds ; but soon began to mend his pace, and vanished in the darkness. ‘Bring her back ; away, you great calf!’ vociferated John, with a voice of exultation, as the dog broke to the hill. And as all these good dogs perform their work in perfect silence, we neither saw nor heard any more of him for a long time. I think if I remember right, we waited there about half an hour ; during which time all the conversation was about the small chance which the dog had to find the ewe, for it was agreed on all hands, that she must long ago have mixed with the rest of the sheep on the farm. How that was, no man will ever be able to decide.

John, however, still persisted in waiting until his dog came back, either with the ewe or without her; and at last the trusty animal brought the individual lost sheep to our very feet, which the man took on his back, and went on his way rejoicing."

OLD HABITS.

Between the years 1750 and 1760, a Scottish lawyer of eminence made a journey to London. At that period such journeys were usually performed on horse-back, and the traveller might either ride post, or if willing to travel economically, he bought a horse, and sold him at the end of his journey. The gentleman of whom we speak, who was a good judge of horses, as well as a good horseman, had chosen the latter mode of travelling, and had sold the horse on which he rode from Scotland as soon as he arrived in London. With a view to his return, he went to Smithfield to purchase a horse. About dusk, a handsome horse was offered to him at so cheap a rate, that he was led to suspect the animal to be unsound; but as he could discover no blemish, he became the purchaser. Next morning he set out on his journey; his horse had excellent paces, and the first few miles, while the road was well frequented, our traveller spent in congratulating himself on his good fortune. On Finchley Common, and at a place where the road run down a slight ascent, and up another, the traveller met a clergyman driving a one-horse chaise. There was nobody within sight, and the horse by his manœuvre plainly intimated what had been the profession of his former master. Instead of passing the chaise, he laid his counter close up to it, and stopt

it, having no doubt that his rider would embrace so fair an opportunity of exercising his vocation. The clergyman, under the same mistake, produced his purse unasked, and assured the inoffensive and surprised horseman that it was unnecessary to draw his pistol. The traveller rallied his horse, with apologies to the gentleman, whom he had unwillingly affrighted, and pursued his journey. The horse next made the same suspicious approach to a coach, from the windows of which a blunderbuss was levelled, with denunciations of death and destruction to the rider, though *sackless*, as he used to express it, of all offence in deed or word. In short, after his life had been once or twice endangered by the suspicions to which his horse's conduct gave rise, and his liberty as often threatened by peace officers, who were disposed to apprehend him as the notorious highwayman who had formerly ridden the horse, he found himself obliged to part with the inauspicious animal for a mere trifle, and to purchase at a dearer rate a horse of less external figure and action, but of better moral habits.

PHILOSOPHIC CAT.

A young cat, which sometimes had the indulgence of taking her place in the domestic circle, upon the carpet before the fire in the parlour, one day came in when one of the party was spinning upon a line wheel. Having never seen such a thing before, she became extremely alarmed by its appearance and motion. She couched down in an attitude of fear and of investigation; and yet at such a distance as would admit of a speedy retreat if it should prove to be

alive, and an enemy. She crept slowly all along the wheel, with her eyes steadily fixed on it, and with a very singular expression of countenance, till at length, not being able to satisfy herself, she retreated towards the door, impatiently waiting to make her escape; which she did the moment it was in her power, with great precipitation.

The next morning, when she came into the room, the wheel then standing still, she advanced courageously towards it, and after an apparently careful examination, walking all round, ventured upon the further experiment of endeavouring to ascertain with her paw whether there was really any thing to be apprehended from it. Still not finding any motion, our philosopher of the Newtonian school, satisfied that she had nothing to fear, seated herself quietly by the fire; and the next time she saw it in motion, she sprang gaily forward, and enjoyed her triumph, by playing with the object of her former terror.

AN ASS CAST AWAY.

In March, 1816, an ass belonging to Captain Dundas, R.N. then at Malta, was shipped on board the *Ister* frigate, Captain Forrest, bound from Gibraltar for that island. The vessel struck on some sands off the Point de Gat, and the ass was thrown overboard, in the hope that it might possibly be able to swim to the land; of which, however, there seemed but little chance, for the sea was running so high, that a boat which left the ship, was lost. A few days after, when the gates of Gibraltar were opened in the morning, the guard were surprised by Valiant, as the

ass was called, presenting himself for admittance. On entering, he proceeded immediately to the stable of Mr. Weeks, a merchant, which he had formerly occupied. The poor animal had not only swam safely to the shore, but without guide, compass, or travelling map, had found his way from Point de Gat to Gibraltar, a distance of more than two hundred miles, through a mountainous and intricate country, intersected by streams, which he had never traversed before, and in so short a period, that he could not have made one false turn.

THE NOTES OF BIRDS.

The cock speaks the language of his hens, and he speaks it as they do ; but more than they do, he boasts in crowing of the power he possesses of receiving proofs of his tenderness. He sings his valour and his glory.

The goldfinch, linnet, and tomtit, sing their loves.

The chaffinch sings his love, and his self-love.

The canary bird sings his love, and his real talents.

The lark chaunts a hymn on the beauties of nature, and the vigour with which he cuts the air while he soars aloft in the presence of his mate, who is admiring him.

The swallow, all tenderness and affection, rarely sings alone, but in duo, trio ; in short, in as many parts as there are members of the family. His gamut is very limited ; however, its concert is full of sweetness.

The nightingale has three songs ; that of suppliant love, at first languishing, then mixed with lively

accents of impatience, which end in protracted notes full of pathos that touch the heart. In this song the female takes her part, by interrupting the couplet with tender notes; to which succeed an affirmative, timid and full of expression.

SHIPWRECKED CREW SAVED.

The Durham packet of Sunderland, was in 1815 wrecked near Clay, in Norfolk. A faithful dog was employed to use his efforts to carry the lead line on shore from the vessel; but there being a very heavy sea, and a deep beach, it appeared that the drawback of the surf was too powerful for the animal to contend with. Mr. Parker, ship builder, of Wells, and Mr. Jackson, junior, of Clay, who were on the spot, observing this, instantly rushed into the sea, which was running very high, and gallantly succeeded, though at a great risk, in catching hold of the dog, who was much exhausted, but who had all this time kept the line in his mouth; the line being thus obtained, a communication with the vessel was established, and a warp being passed from the ship to the shore, the lives of all on board, nine in number, including two children, were saved.

REMEMBRANCE OF HOME.

While the allied armies occupied France, in the year 1815, there was in the month of November of that year, a great fall of snow at Commercy, which covered the ground to the depth of eight or ten inches. When the Russian dragoons stationed there were

taking their horses to water in the morning, these animals surprised and delighted at a sight which doubtless reminded them of their own country, began to prance, neigh, and roll themselves in the snow. A number escaped from the hands of their conductors, who had great difficulty in catching them again.

HONOURS PAID TO LIVING AND DEPARTED WORTH.

A good man (says Plutarch) will take care of his horses and dogs, not only when they are young, but when old and past service. Thus the people of Athens, when they had finished the temple called *Hecatompedon*, set at liberty the beasts of burden that had been chiefly employed in that work, suffering them to pasture at large, free from any farther service. It is said that one of these afterwards came of its own accord to work, and putting itself at the head of the labouring cattle, marched before them to the citadel. The people were pleased with this spontaneous action, and they made a decree, that the animal should be kept at the public charge as long as it lived. Many have shewn particular marks of regard in burying animals which they had cherished and been fond of. The graves of Cimon's mares, with which he thrice conquered at the Olympic Games, are still to be seen near his own tomb. Xanthippus, whose dog swam by the side of his galley to Salamis, when the Athenians were forced to abandon their city, afterwards buried it with great pomp, upon a promontory, which to this day is called the *dog's grave*. In Pliny, we have also an amusing

account of a superb funeral ceremony, which took place during the reign of Claudius; in which the illustrious departed was no other than a crow, so celebrated for its talents and address, that it was looked upon as a sort of public property. Its death was felt as a national loss; the man who killed it was condemned to expiate the crime with his own life; and nothing less than a public funeral could, as it was thought, do justice to its memory. The remains of the animal were laid on a bier, which was borne by two slaves; musicians went before it, playing mournful airs; and an infinite number of persons, of all ages and conditions, brought up the rear of the melancholy procession.

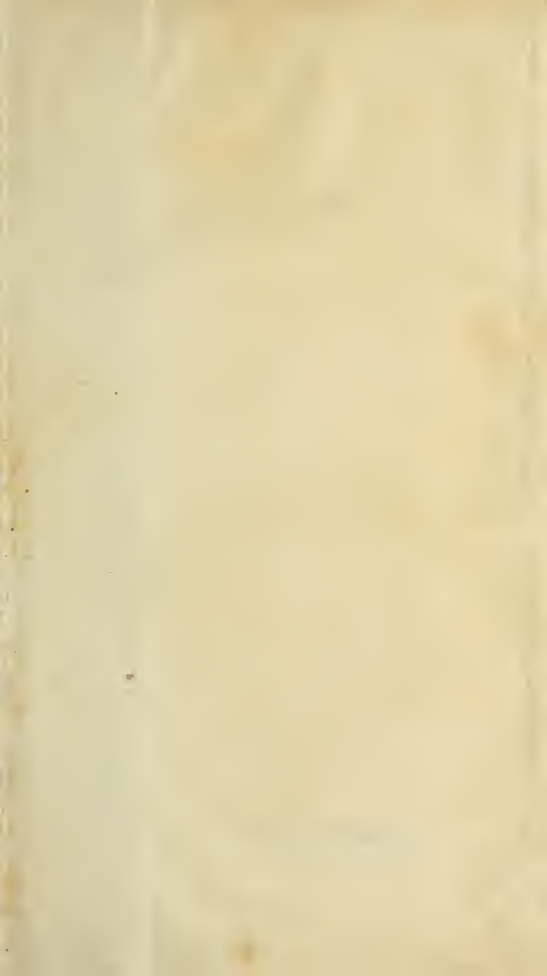


INDEX.

ANECDOTES OF INSTINCT.

Accomplished Shoplifter	90	Deceiving the Fowler	169
Affecting Reproof.....	11	Descending the Alps	92
Ass cast away.....	174	Dinner Bell.....	150
Ant Lion, the	139	Disinterested Informer	76
Antiochus, death of, revenged	4	Division of Labour	102
Ants in a Flood.....	129	Dog of Montargis	16
—, battles of the	156	— and Goose	20
Assisting the Aged	99	Dolphin, the	119
Battle Foundling	152	Domesticated Seal	70
Bear and Child	26	Drawing Water.....	92
— Cubs	162	Duty before Revenge	115
Bears in Jeopardy	160	Dying of Joy	51
Beasts mere Machines or not.	27	Eagle, White-headed.....	110
Beaver, the.....	133	Effect of Colours	59
Bee Charmer	47	Elephant Rope Dancing	12
Bisset, the Animal Teacher ..	103	Envy	144
Broken Heart, the	9	Escape of Jengis Khan	150
Calculating Crow.....	22	Faithful Companion.....	167
Call-Birds	138	Falcon, the Secretary	151
Canine Tragedian	14	False Alarm	153
— Sheep Stealer	22	Feeding the Orphan	52
— Smugglers	23	Filial Duty	48
Cape Swallow, the	29	— Tenderness	67
Carrier Pigeons	61	— Affection	97
—'s Dog	145	Foraging	86
Catcher caught.....	166	Fox Chasing	148
Cat and Crows	72	Friend in Need	47
Charitable Canary	129	Friendship a Guiding Star....	93
Child Saved	35	Generous Revenge	25
Chinese Fishing Birds.....	83	Goat, the	33
Choice Retaliation	31	Going to Market	89
— of Evils	114	Good Finder, a	51
Comedy of Quadrupeds.....	12	Grateful Lioness	6
Concerts of Animals	40	— Return.....	99
Connoisseur	113	Hanger on, a	170
Constancy of Affection	85	Heroism of the Hen.....	74
Conveying Intelligence	127	Highwayman, a.....	53
Conversing Parrot	81	Honours to Worth	177
Crab Fishing	109	Horse and Greyhound.....	32
Crew Saved	176	Humane Society	147
Cruel Parting.....	44	Immoveable Fidelity	96
Cunning as a Fox.....	49	Inconsolable Grief	118
Dancing Ass	13		

Indian Cross Beak	65	Remorse	31
Indicator, the.....	57	Retaliation	163
Infant Fascination	69	Retribution.....	71
Infallible Thief-catcher.....	112	Revengeful Swallow	73
Leap Frog	162	Rights of Hospitality	5
Learned Dog	32	Sabinus and his Dog	3
Lion and his Keeper	95	Sagacious Bruin	155
Long Lost found again	46	Saving from Drowning	100
Making Sure	96	Secret Escort	45
Marine Barometers	101	Sense of Ridicule.....	56
Maternal Affection	58	Shepherd's Dog, the	77
Matrimonial Fidelity	75	Shrewd Guesser	28
Migration of the Swallow	141	Singular Interposition	44
Mimic	80	—— Foster Mother	74
Minstrel's Bark	56	Sly Couple	53
Mocking Bird, the	115	Snake Destroyers.....	121
More Faithful than Favoured .	7	Soliciting Succour	126
Mother Watching her Young.	167	Sonnini and his Cat.....	106
Mountain Sheep	153	Spiders the best Barometers .	37
Mouse of Husafel	24	——'s Web	125
Murder Prevented	149	Strange Rooks	72
Musical Mice	123	—— Mouser	132
Nest Building.....	19	Stratagem	146
Newfoundland Dog	29	Stray Sheep	170
Newsman Extraordinary	164	Stupendous Ant Hill	137
Notes of Birds	175	Studying	166
Odd Fraternity	24	Sybarite Horses.....	79
O'Kelly's Parrot	82	Tailor Bird, the.....	112
Old Habits	172	Taking the Water.....	126
"One Swallow does not make		Talking Politics.....	145
Summer".....	148	Tame Colony	48
Ostrich Riding	164	—— Sea Gull	60
Oyster Opening.....	100	—— Hares	98
Philosophic Cat.....	173	Travellers	42
Pig Pointer.....	66	Union of Labour	154
Porcupine, the	50	Usurper Punished.....	51
Porus Saved by an Elephant .	4	Vampyre, the.....	70
Power of Music.....	87	Venturing to Sea	169
—— Memory	130	Visiting Ants	94
Presumptive Guilt	90	Wager queerly Lost.....	42
Providential Safe Conduct....	15	Wasp Hatching	152
Puffin, the	139	Watch Dog.....	43
Pugnacity	131	Water Scenters	122
Quail Fighting	168	—— Pony	126
Rare Honesty	113	Whale Fishing	161
Refugee Squirrel	160	Wild Herds.....	109
Remembrance of Home.....	176	Woodpecker	107
		Wrens learning to Sing	18



This book is **DUE** on the last
date stamped below

LIBRARY

UC SOUTHERN REGIONAL LIBRARY FACILITY



B 000 013 774 5

PN

6260

P41

1820

v. 5

SH,
ORNIA,

